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1990

URBAN/MUNICIPAL

NOV 19 - DEC 17

TRANSPORT AND ENVIRONMENT
COMMITTEE

K.E. AVERY
CITY CLERK

J.J. SCHATZ
CITY CLERK

CA40NHBLA05

URBAN/MUNICIPAL

C51T4
1990



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

November 15, 1990

URBAN MUNICIPAL
DEC 6 - 1990

NOTICE OF MEETING

GOVERNMENT DOCUMENTS

TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, November 19, 1990
9:30 o'clock a.m.
Room 233, City Hall

*Susan K. Reedel / for
T. Agnello, Secretary
Transport and Environment Committee*

AGENDA

DELEGATIONS

A. 10:00 a.m. Lot Line Dispute Between Mr. and Mrs. Slavo Bukovscak
51 Algonquin Court and Mr. and Mrs. Steve Lukicek, 55
Algonquin Court

B. 10:15 a.m. Parking Regulations on Moxley Drive - Mrs. Woodcock, 914
Mohawk Road East, Unit 11

1. Approval of the Minutes of the Meeting held November 5, 1990

2. COUNCIL REFERRAL

Letter from the City of Toronto Re: Implementation and enforcement of the Chlorofluorocarbon By-law

3. MANAGER OF PURCHASING

- (a) Rental of Snow Removal Equipment and Labour - Public Works Department
- (b) Concrete Crushing Bernie Court Yard - Public Works Department

4. DIRECTOR OF PROPERTY

- (a) Expropriations of Land Required for the Extension of Berkindale Avenue
- (b) Red Hill Creek Flood Plain - Storm Water Control Agreement by Owner to accept Compensation - 265 Charlotte Street - Susan Medeiros
- (c) Offer to Purchase (easement) - Union Gas Limited, City Land - South Side of Stone Church Road East

5. DIRECTOR OF PUBLIC WORKS

Equipment Auction - 1990

6. COMMISSIONER OF ENGINEERING

- (a) Proposed Road Allowance Closure:
Melissa Street from 15.24 m East of the Original Centre Line of
Upper Wellington Street to approximately 58.83 Easterly
- (b) Banner Display Application -
National Dental Hygiene Week.
Monday, October 19, 1992 to Monday, October 26, 1992
- (c) Inadvertent Encroachment Agreement - 438 Dundurn Street South
- (d) Revised Wheelchair Ramp Standard
- (e) Road and Sidewalk Capital Reconstruction Programme
- (f) Regional Municipality of Halton - Gypsum Waste Recycling Resolution
- (g) Temporary Street Closure, Ferguson Avenue North Between King and
King William Sts. - Saturday, November 17, 1990 from 8:00 a.m. to 4:00 p.m.
- (h) Transfer for Additional Funds - Railway Crossing Signal Maintenance
- (i) Incorporating Certain City Lands into Various Streets by By-law

7. **DIRECTOR OF TRAFFIC SERVICES AND CITY SOLICITOR**

97 Pearl Street North - Request for Driveway Approach Approval

8. **DIRECTOR OF TRAFFIC SERVICES**

- (a) Request for a School Crossing Guard - Main Street East and London St.
- (b) Britannia Avenue, West of Barons Avenue - School Crossing Guard
- (c) Erection of Special Street Name Signs in Business Improvement Areas in Hamilton Downtown B.I.A.

9. **PARKING REGULATIONS**

- (a) Royal Avenue Between Emerson Street and Leland Avenue
- (b) Bay Street North Between Burlington and Wood Streets
- (c) Markland Street Between Bay St. South and Park Street South/Chilton Place
- (d) Springer Avenue Between Maplewood Avenue and Main Street East
- (e) No. 11 Hess Street South - Request for a Loading Zone

10. **INTERSECTION CONTROL**

- (a) Brucedale Avenue and Rendell Boulevard
- (b) Campbell Avenue and Rosslyn Avenue North
- (c) Cannon Street East and Glendale Avenue North

11. **ALDERMAN T. MURRAY**

Request for Fence Removal - Mara and Christopher Skeba - 70 Park Plaza Drive

12. **OTHER BUSINESS**13. **ADJOURNMENT**

TRANSPORT AND ENVIRONMENT COMMITTEE

OUTSTANDING ITEMS

	<u>ITEM</u>	<u>ORIGINAL DATE</u>	<u>ACTION</u>	<u>STATUS</u>
1.	Parking Regulations - West 1st St. between Monarch Rd. and Wembley	May 23, 1990	Ald. T. Murray	Tabled
2.	Stops Signs on Greenhill Avenue	August 20, 1990	Mr. M. Main	Pending Report
3.	Unlawful Removal of Trees	August 28, 1990	Mr. L. Farr City Solicitor's Office	Pending Report
4.	Fence at 201 Bay Street North	September 17, 1990	Alderman Agro	Tabled With Instructions
5.	Street Lights on Ravenscliffe Avenue	September 17, 1990	Alderman Agro	Tabled

Dated: November 13, 1990

T. Agnello
Secretary



CITY COUNCIL
HAMILTON, CANADA

A.
Alderman Tom Jackson

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 383-3470 – WARD 6

12 November 1990.

Miss Tina Agnello,
Secretary,
Transport & Environment Committee,
City Clerk's Department.

Dear Tina:

On the next Transport and Environment Committee meeting on Monday, November 19, 1990, please include as an item on the agenda under delegations, the hearing of lot line complaint between Mr. & Mrs. Slavo Bukovscak of 51 Algonquin Court and Mr. & Mrs. Steve Lukicek of 55 Algonquin Court.

I have tried resolving this matter internally between both parties but it is now at the point where I and the two families are needing the Committee's wisdom and decision on this dispute.

Trusting to have your cooperation regarding this matter, and if you require any further reports or background on the situation please contact the individuals noted below.

Thank you and,

Sincerely yours,

Tom Jackson

Tom Jackson,
Alderman, Ward 6.

TJ:dp

cc: Mr. Reg Meiers, Manager of Project Planning, Engineering Dept.
Mr. Ted Arnold, Driveway Control Officer, Traffic Dept.
Mr. Dan Fraser, Hamilton Hydro.
Mr. & Mrs. Steve Lukicek, 55 Algonquin Crt., Hamilton, ON L8T 4T2.
Mr. & Mrs. Slavo Bukovscak, 51 Algonquin Crt., Hamilton, ON L8T 4T2.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 13

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

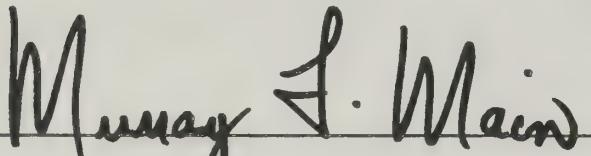
FROM: Mr. Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Driveway approach at No. 55 Algonquin Court. (TEC-278-90)

RECOMMENDATION:

- a) That the Committee request Hamilton-Hydro to relocate, at their cost, the hydro pole in front of No. 55 Algonquin Court to a point on the No. 51 Algonquin Court side of the extended property line common to the two properties, and;
- b) That the Committee approve the extension of the existing driveway at No. 55 Algonquin Court, southerly by up to 3.8m for a total driveway width of up to 5.5m, at the expense of the owner at No. 55 Algonquin Court.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Any costs would be borne by Hamilton-Hydro and by the owner at No. 55 Algonquin Court.

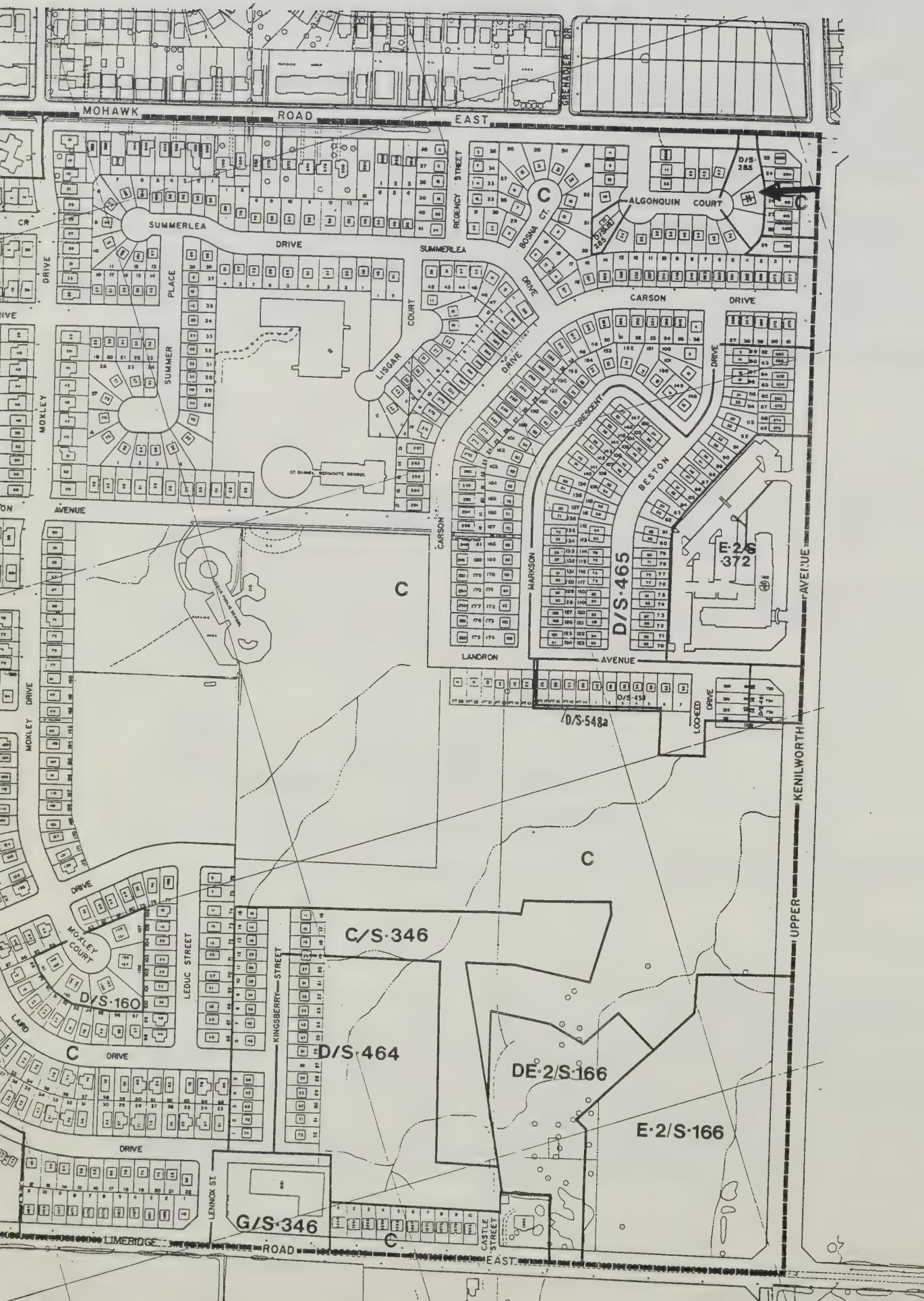
BACKGROUND:

In mid 1990, the Traffic Department was requested to investigate the driveway situation at No. 55 and No. 51 Algonquin Court. At that time, it was determined that the owner at No. 55 Algonquin Court had constructed a driveway and a driveway approach which encroached upon a portion of the property at No. 51, and which also involved the paving of the boulevard on the public highway in front of the premises of No. 51 Algonquin Court. Subsequently, the owner at No. 51 Algonquin Court had removed the portion of the concrete driveway which encumbered his property, and which encumbered the portion of the boulevard on Algonquin Court in front of his property. This resulted in a situation

where the remaining portion of the driveway approach is insufficiently wide for proper vehicular access, and the edge of the driveway approach is immediately abutted by a Hamilton-Hydro pole.

Hamilton-Hydro has agreed to relocate the hydro pole from it's present location to the other side of the driveway approach such that it would be approximately in line with the extended property line between the properties at No. 51 and 55 Algonquin Court. We understand that this solution is satisfactory to the owner at No. 51 but that the owner at No. 55 does not agree to this arrangement.

It is the Traffic Department's position that the offer of Hamilton-Hydro to relocate the pole at no cost should be accepted, and that the pole should be relocated to the vicinity of the extended property line. We understand that this is satisfactory to the owner at No. 51, but not satisfactory to the owner at No. 55 Algonquin Court. Relocation of the pole would allow the owner at No. 55 to extend his driveway approach to an appropriate width to accommodate access by his automobile.



B.

VIEW THE NOTE

EO1

Date and time 11/12/90 16:45:20

From: LTOFANI --COHAM
To: TAGNELLO--COHAM

Subject: T & E

PLEASE CALL MRS. WOODCOCK OF MOXLEY DRIVE. HER NUMBER IS 383-7707. THE MAYOR
WOULD LIKE HER TO BE ON THE NEXT T & E AGENDA RE PARKING ON MOXLEY DR.

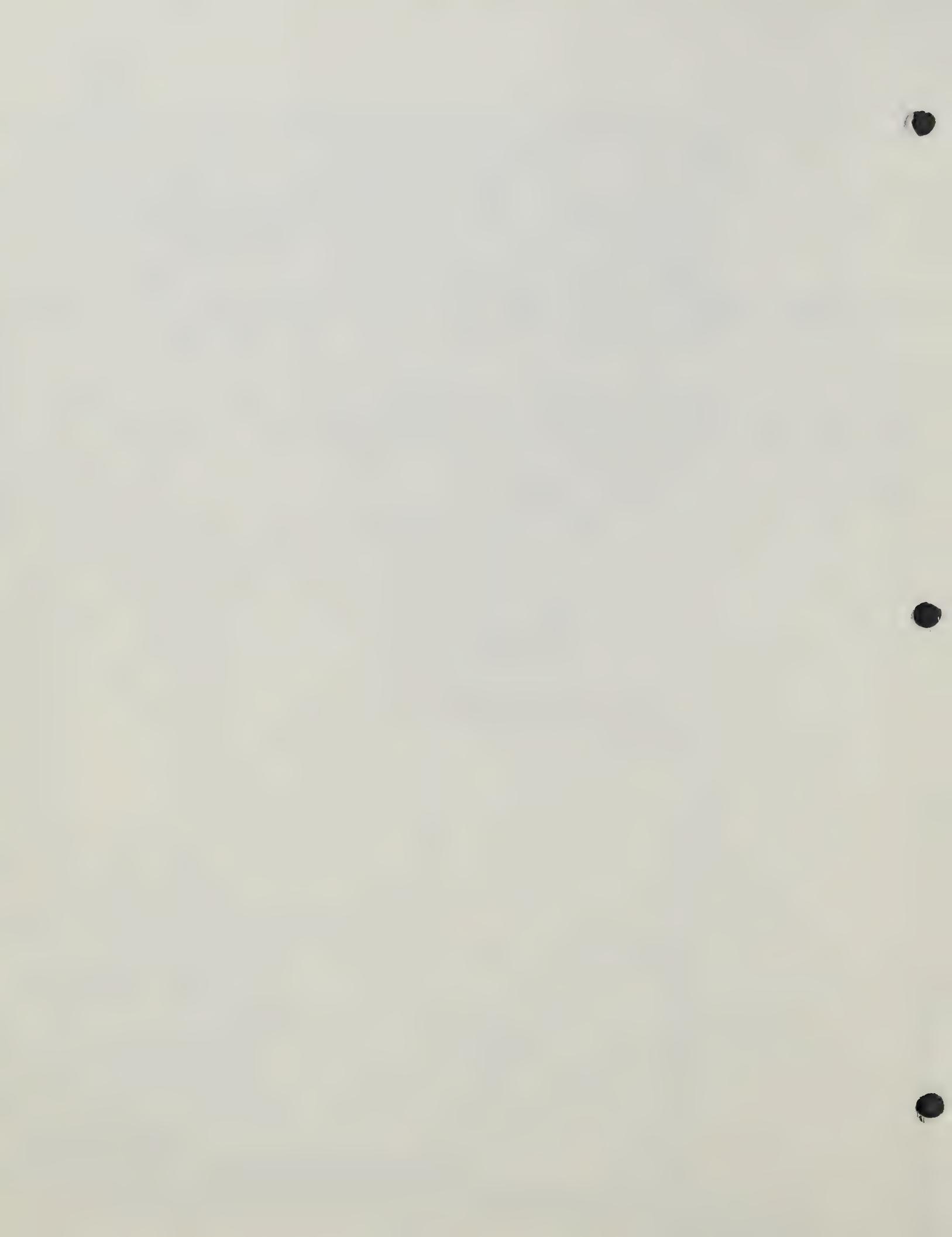
(914 Mahawke St E, unit 11)

* * * * *

Yours Truly,

Lynn Tofani (x2074), Userid LTOFANI

E N D O F N O T E



Monday, November 5, 1990
9:30 o'clock a.m.
Room 233, City Hall

1.

The Transport and Environment Committee met.

There were present:

Alderman V. J. Agro, Acting Chairman
Alderman D. Drury
Alderman D. Agostino
Alderman T. Cooke
Alderman T. Murray

Absent:

Alderman H. Merling (Vacation)
Mayor R. M. Morrow

Also present:

Alderman J. Gallagher
Alderman D. Ross
Mrs. B. Price, Hamilton Safety Council
Mr. G. P. Aston, Regional Engineering Department
Mr. D. Lobo, Public Works Department
Mr. J. G. Pavelka, Director of Public Works
Mr. M. F. Main, Director of Traffic Services
Mr. M. Watson, Manager, Real Estate Division
Mr. T. Bradley, Manager, Purchasing
Miss T. Agnello, Secretary

1. ADOPTION OF THE MINUTES

The minutes of the Transport and Environment Committee of October 22, 1990 were adopted as circulated.

2. CITY SOLICITOR

As recommended by the City Solicitor in a report dated October 26, 1990, the Committee recommended to Council as follows:

(a) That the applications for on site Garbage Collection service to the following locations, be approved during the pleasure of Council:

<u>Applicant</u>	<u>Location</u>
1. Wentworth Condominium Corporation No. 145	255 Mount Albion Road
2. Valery Construction Limited	40 Grayrocks Ave.
3. Valery Construction Limited	14 Derby Street
4. Valery Construction Limited	15 Derby Street
5. A. DeSantis Holdings Limited	543 Queenston Road

(b) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such insurance to be in an amount satisfactory to the Director of Public Works.

(c) That the Mayor and City Clerk be authorized to sign and execute these agreements.

3. MANAGER OF PURCHASING**3.1 Canadian Corps of Commissionaires
Annual Salary Rates for 1991, Traffic Department**

Mr. Bradley explained that the commissionaires have proposed a 6% increase and that the GST will apply to the total of their wages since the service is contracted. In previous years, the increase has been 3% or 4%.

The Transport and Environment Committee members expressed concern with the request since Council has directed that there be no increase in the budget from 1990 to 1991.

A discussion ensued regarding contracting services versus providing services in-house. The Committee directed staff to prepare a report with costs for in-house and contracted services.

As recommended by the Manager of Purchasing in a report dated October 16, 1990, the Committee recommended to Council as follows:

That a purchase order be issued to the Canadian Corps of Commissionaires (Hamilton), Hamilton for parking enforcement services for 1991, in accordance with specifications issued by the Manager of Purchasing and vendor's tender as follows:

Hourly Rate

Sergeant	\$ 11.04
Corporal	\$ 10.56
Commissionaire	\$ 10.13

Plus 7% GST

NOTE: Funds provided in By-law Services, Traffic By-law Enforcement Account No. CH56323 75020.

3.2 Supply and Delivery of Sodium Chloride During 1990 - 1991 Winter Season

As recommended by the Manager of Purchasing in a report dated October 29, 1990, the Committee forwarded the following recommendation to Council:

That a purchase order be issued to Sifto Canada Inc., Toronto, for the supply and delivery of sodium chloride during the 1990 - 1991 Winter season in accordance with specifications issued and vendor's tender, as follows:

Coarse Crushed in 22.5 Tonne Dump Truck Loads - \$ 33.58 per metric tonne

FST exempt. PST included. GST will be extra when applicable.

NOTE: Lowest of three (3) tenders received. Funds provided in Stock Account No. CH56197 60999.

3.3 Supply and Delivery of Sand, Treated and Untreated for the 1990 - 1991 Winter Season

As recommended by the Manager of Purchasing in a report dated October 29, 1990, the Committee forwarded the following recommendation to Council:

That purchase orders be issued for the supply and delivery of sand, treated and untreated, for the 1990 - 1991 Winter season, in accordance with specifications issued by the Manager of Purchasing and vendors' tenders, as follows:

(a) Lakeview Sand and Gravel, Paris for Treated Sand
\$15.78 per metric tonne - delivered

\$12.13 per metric tonne - picked-up

(b) TCG Materials, Cambridge for Untreated Sand
\$ 7.70 per metric tonne - delivered

Provincial Sales Tax extra at 8%
After January 1, 1991, 7% GST will apply

NOTE: Lowest of four (4) tenders received. Funds provided in Stock Account No. CH56197 60999.

4. COMMISSIONER OF ENGINEERING**4.1 Modified Subdivision Agreement, Upper Wellington Street**

The Acting Commissioner of Engineering explained to the Committee that there are 2 proposals; "A" which proposes a flat sidewalk with the cemetery grade raised about it, and "B" which proposes a raised sidewalk level to the existing cemetery. Both proposals will cost the same amount.

Alderman Gallagher offered a brief overview of the history of the sidewalk construction. In the process of reconstruction, several trees have been killed and the cemetery is now at a higher grade than the existing pedestrian walkway.

Mr. Morris, a Cemetery Director, was present to express his concerns. He stated that the cemetery has considerable historical significance and if the sidewalk is not raised, the cemetery cannot be viewed.

Ms. Marlene Horning, Cemetery Director, felt that since both proposals are feasible and cost the same amount, the raised sidewalk should be approved.

After discussion, the Committee passed the following recommendation for Council's approval:

That the appropriation for the City share for the agreement regarding construction of an elevated sidewalk and handrail with Wellington Chase Inc. for lands on the east side of Upper Wellington Street, approved by City Council on December 13, 1988, be increased from \$9,946.26 to \$29,000.00 and that the Finance and Administration Committee recommend the source of funding.

11/13/90

4.2 **Tendering of Advertising Bench Agreement**

A discussion ensued regarding the size of benches and their appearance. The Acting Commissioner of Engineering explained that by agreement, the backs of the benches are to be 6' x 2'.

Questions arose about advertising benches not being permitted in the downtown core. The Director of Public Works advised that the Planning and Development Committee, the Business Improvement Association and the Transport Commissioner have all been involved with relocating advertising benches.

The Acting Commissioner of Engineering advised that the policy for advertising benches in the downtown core was adopted 4 years ago.

After discussion, the Committee forwarded to Council the following recommendation of the Acting Commissioner of Engineering dated October 30, 1990 as follows:

That the Commissioner of Engineering be directed to tender the following 3 options for a contract for placement of benches at various locations throughout the City of Hamilton on road allowances for a four year term. Each option will be subject to the following conditions:

- (a) That an Agreement be entered into with the City of Hamilton to the satisfaction of the Commissioner of Engineering and the City Solicitor.
- (b) That an annual fee be paid per bench, such fee to be non-refundable for benches removed from the road allowance.
- (c) That the applicant provide an alphabetical street name inventory, defining where all benches are placed on the road allowance.
- (d) That the applicant provide, at the time of each annual payment, a map on which each bench location shall be shown.
- (e) That the applicant provide \$2,000,000.00 public liability insurance, naming the City as an added insured party, and saving the City harmless from all actions, interests, claims, demands, costs, damages, expenses, and loss.
- (f) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City.
- (g) That no benches with advertising be placed in the City of Hamilton's "Downtown Area" bounded by and including Main Street and Wilson Street, and Bay Street and Wellington Street.
- (h) That no benches with advertising be placed at bus stops with transit shelters where advertising is on the transit shelter, such restriction not to apply to benches for charitable organizations or benches without advertising.
- (i) That the successful applicant be permitted to install a maximum of 500 benches at locations determined by the following criteria:
 - (i) No bench shall be placed in such a manner as to obstruct pedestrian traffic and in no case shall it be placed on a sidewalk having a width of 2.0 m or less.
 - (ii) No bench shall be placed within 6.0 m of any fire hydrant.

- (iii) No bench shall be placed so as to interfere with or obstruct any street maintenance operation, and in no case shall a bench be within 11.0 m of a bus stop during the months of December to April inclusive.
- (iv) Benches shall not be installed until prior approval of each bench location is received from the Commissioner of Engineering, and in all commercial areas, benches shall not be installed without first obtaining the approval of the Neighbourhood Business Association. All benches shall be maintained to the satisfaction of the Commissioner of Engineering.

Option I:

That the successful applicant make available to the City 5% of the benches for local service organizations, who will be responsible for the cost of the art work only.

Option II:

- (a) That the following three categories of bench types and locations be established:
 - (i) Bench
Type: benches with large advertising

Permitted
Locations: in commercial and industrial districts
 - (ii) Bench
Type: benches with discreet advertising in the form of a plaque (e.g. this bench donated by) or letters burned into the wooden back

Permitted
Locations: (a) in parks fronting main streets
(b) public places - facing out to street
(c) residential neighbourhoods
(d) as in (i) above
 - (iii) Bench
Type: no advertising

Permitted
Locations: (a) historical districts
(b) facing into parks
(c) public places - facing into space
(d) facing designated architectural and/or historical structures
(e) as in (i) and (ii) above
- (b) That for every 6 benches with advertising, 2 benches with discreet advertising and 2 benches with no advertising must be supplied.

11/13/90

Option III

(a) That the following two categories of bench types and locations be established.

(i) **Bench**
Type: benches with large advertising

Permitted
Locations: (a) in commercial and industrial districts
(b) public places - facing out to street

(ii) **Bench**
Type: benches with discreet advertising in the form of a plaque (e.g. this bench donated by ...) or letters burned into the wooden back

Permitted
Locations: (a) residential neighbourhood
(b) facing designated architectural and/or historical structures
(c) as in (i) above

(iii) **Bench**
Type: no advertising

Permitted
Locations: (a) facing into parks
(b) as in (i) and (ii) above

(b) That for every 6 benches with advertising, 2 benches with no advertising must be supplied.

5. DIRECTOR OF PROPERTY**5.1 Sale of One Foot Reserve - Templemead Drive to 832200 Ontario Limited**

As recommended by the Director of Property in a report dated October 29, 1990, the Committee recommended to Council as follows:

That an Offer to Purchase executed by 832200 Ontario Limited (Sol D. Frankel) on October 17, 1990 and scheduled for closing on or before January 8, 1991, for the purchase of a one (1) foot reserve along the easterly limit of Templemead Drive, be approved and completed.

NOTE: The subject property is a one (1) foot strip of land along the easterly limit of Templemead Drive, shown as Part 14 on Plan 62R-4121, containing a total area of 19.42 square metres (209 square feet). The purchase price of \$1.00 to be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land).

5.2 **Sale of One Foot Reserve - Eaglewood Drive to Hilliard Clark Harnden, Helen Ann Anderson in Trust, and Helen Ann Anderson**

As recommended by the Director of Property in a report dated October 29, 1990, the Committee agreed to recommend to Council as follows:

That an Offer to Purchase executed by Hilliard Clark Harnden, Helen Ann Anderson in Trust and Helen Ann Anderson on October 15, 1990 and scheduled for closing on or before January 8, 1991, for the purchase of a one (1) foot reserve along the easterly limit of Eaglewood Drive, be approved and completed.

NOTE: The subject property is a one (1) foot strip of land along the easterly limit of Eaglewood Drive, shown as Parts 8, 9, 10, 11, 12 and 13 on Plan 62R-11237, containing a total area of 18.4 square metres (198.06 square feet). The purchase price of \$1.00 is to be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land).

5.3 **Sale of One Foot Reserve - Eaglewood Drive to 456941 Ontario Limited**

As recommended by the Director of Property in a report dated October 29, 1990, the Committee agreed to recommend to Council as follows:

That an Offer to Purchase executed by 456941 Ontario Limited (Paul Silvestri) on October 18, 1990 and scheduled for closing on or before January 8, 1991, for the purchase of a one (1) foot reserve along the easterly limit of Eaglewood Drive, be approved and completed.

NOTE: The subject property is a one (1) foot strip of land along the easterly limit of Eaglewood Drive, shown as Part 14 on Plan 62R-11237, containing a total area of .93 square metres (10 square feet). The purchase price of \$1.00 is to be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land).

6. **DIRECTOR OF PUBLIC WORKS**

6.1 **Maintenance of Walkways**

After a brief discussion, the Committee forwarded to Council the recommendation in a report from the Director of Public Works dated October 29, 1990 as follows:

- (a) That a new activity, titled Maintenance of Walkways, Account No. 60139 51401 be created by transferring \$28,950.00 from Roadside Manual Weed Cutting Account No. 60150 51401 and \$4,550.00 from Water Delivery Account No. 60510 44042.
- (b) That the Keep Hamilton Clean Committee be requested to review the existing circumstances whereby several residents maintain the grass, collect the debris from the walkways in their neighbourhood, with the objective of encouraging and recognizing these residents to continue with these efforts.
- (c) That the Manager of Streets evolve a 3 year program to upgrade pathways and sidewalks so that all pathways/sidewalks are concrete and up to municipal standards.
- (d) That the Manager of Parks evolve a 3 year program to upgrade the barren and denuded areas beyond the pathways/sidewalks or arrange to spray the area to control the weeds.

11/13/90

7. **DIRECTOR OF TRAFFIC SERVICES**7.1 **No. 70 Augusta Street - Application for Time Limit Exemption Permit**

As recommended by the Director of Traffic Services in a report dated October 16, 1990, the Committee recommended to Council as follows:

That to respond to the concerns of the 4 residents at 59, 63, 67 and 71 Janet Court backing onto the yard of the Sanitation Depot at 2418 Barton Street East and having to view the trucks, employees and employees' vehicles; that there be some visual screening between their back yards and the sanitation yard along the fence line by:

- (a) Reimbursing the residents at 59 Janet Court for meadow 4 foot extension to the wooden fence at an estimated cost of approximately \$2,000.00 to be charged to Account No. CH56103 61068 General Roadway Maintenance. It is understood by the residents and the City that although the City is participating by paying this extension to the fence that the fence and 100% of the maintenance responsibility rests with the resident.
- (b) Removing the existing chain link fence, supplying and installing steel beam guide rail and supplying and planting coniferous trees at 30 foot centres along the rear property line of the residences at 63, 67 and 71 Janet Court at an estimated cost of approximately \$6,500.00 to be charged to Account No. CH56103 60168 General Roadway Maintenance.

8. **PARKING REGULATIONS**

Pursuant to recommendations in various reports submitted by the Director of Traffic Services, the Committee recommended to Council that By-law No. 89-72 be amended as follows:

- 8.1 That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on both sides of West 33rd Street between Bendamere Avenue and Leslie Avenue be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.
- 8.2
 - (i) That the two metered parking spaces on the east side of Mary Street immediately south of Wilson Street be removed; and
 - (ii) That a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., 7 days a week" regulation be implemented on the east side of Mary Street commencing at Wilson Street and extending to a point 76 feet southerly therefrom.
- 8.3 That the existing "Permit Parking" regulation on the east side of Ray Street South between Jackson Street West and Canada Street be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation.
- 8.4
 - (i) That parking be prohibited on the south side of the north leg of Burland Crescent from the east curb line of the west leg to a point 124 feet easterly therefrom; and
 - (ii) That parking be prohibited on the east side of the west leg of Burland Crescent from the south curb line of the north leg to a point 83 feet southerly therefrom.

8.5 That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation, be implemented on the south side of Delmar Drive between Cambria Court and Geneva Drive.

8.6 (i) That the existing "Permit Parking" regulation on the north side of Princess Street between Earl Street and Sherman Avenue be shortened such that there is unrestricted parking from Sherman Avenue to a point 134 feet west; and

(ii) That the maximum number of permits to be issued for the block be reduced from 20 to 18.

8.7 (i) That a "Permit Parking" regulation be implemented on the north side of Woodbine Crescent commencing at a point 398 feet west of York Boulevard and extending to a point 22 feet westerly therefrom; and

(ii) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mrs. P. Shabone, 27 Woodbine Crescent.

8.8 That the existing parking prohibition on the west side of Northgate Drive commencing at the southerly limit and extending to a point 45 feet northerly therefrom, be removed.

9. INTERSECTION CONTROL

9.1 Randall Neighbourhood

As recommended by the Director of Traffic Services in a report dated October 22, 1990, the Committee forwarded the following recommendation to Council:

- (i) That westbound traffic on Avonbridge Court be required to stop for northbound and southbound traffic on Rexford Drive; and
- (ii) That westbound traffic on Ashcroft Drive be required to stop for northbound and southbound traffic on Rexford Drive; and
- (iii) That northbound traffic on Amblecote Place be required to stop for eastbound and westbound traffic on Ashcroft Drive; and
- (iv) That northbound traffic on Alconbury Drive be required to stop for eastbound and westbound traffic on Ashcroft Drive/Attfield Place; and
- (v) That eastbound traffic on Ambridge Court be required to stop for northbound and southbound traffic on Alconbury Drive; and
- (vi) That eastbound traffic on Avonmore Court be required to stop for northbound and southbound traffic on Alconbury Drive; and
- (vii) That eastbound traffic on Astonwood Drive be required to stop for northbound and southbound traffic on Rexford Drive; and
- (viii) That southbound traffic on Alconbury Drive be required to stop for eastbound and westbound traffic on Rexford Drive.
- (ix) That the City Traffic By-law No. 89-72 be amended accordingly.

11/13/90

9.2 Sam Remo Drive and San Antonio Drive

As recommended by the Director of Traffic Services in a report dated October 22, 1990, the Committee recommended to Council as follows:

- (a) That a three-way stop control be implemented at the intersection of San Remo Drive and San Antonio Drive.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

9.3 Hunter Street West and Poulette Street

As recommended by the Director of Traffic Services in a report dated October 17, 1990, the Committee recommended to Council as follows:

- (a) That a three-way stop control be implemented at the intersection of Hunter Street West and Poulette Street.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

10. OTHER BUSINESS**10.1 Council referral Back to the Transport and Environment Committee
Sanitation Depot - 2418 Barton Street East**

Alderman Agostino introduced Council's reconsideration and referral back of Section 3 of the TWELFTH Report of the Transport and Environment Committee.

The Committee was in receipt of a recommendation of the Director of Public Works dated November 2, 1990 and recommended to Council as follows:

That to respond to the concerns of the 4 residents at 59, 63, 67 and 71 Janet Court backing onto the yard of the Sanitation Depot at 2418 Barton Street East and having to view the trucks, employees and employees' vehicles; that there be some visual screening between their back yards and the sanitation yard along the fence line by:

- (a) Reimbursing the residents at 59 Janet Court for meadow 4 foot extension to the wooden fence at an estimated cost of approximately \$2,000.00 to be charged to Account No. CH56103 61068 General Roadway Maintenance. It is understood by the residents and the City that although the City is participating by paying this extension to the fence that the fence and 100% of the maintenance responsibility rests with the resident.
- (b) Removing the existing chain link fence, supplying and installing steel beam guide rail and supplying and planting coniferous trees at 30 foot centres along the rear property line of the residences at 63, 67 and 71 Janet Court at an estimated cost of approximately \$6,500.00 to be charged to Account No. CH56103 60168 General Roadway Maintenance.

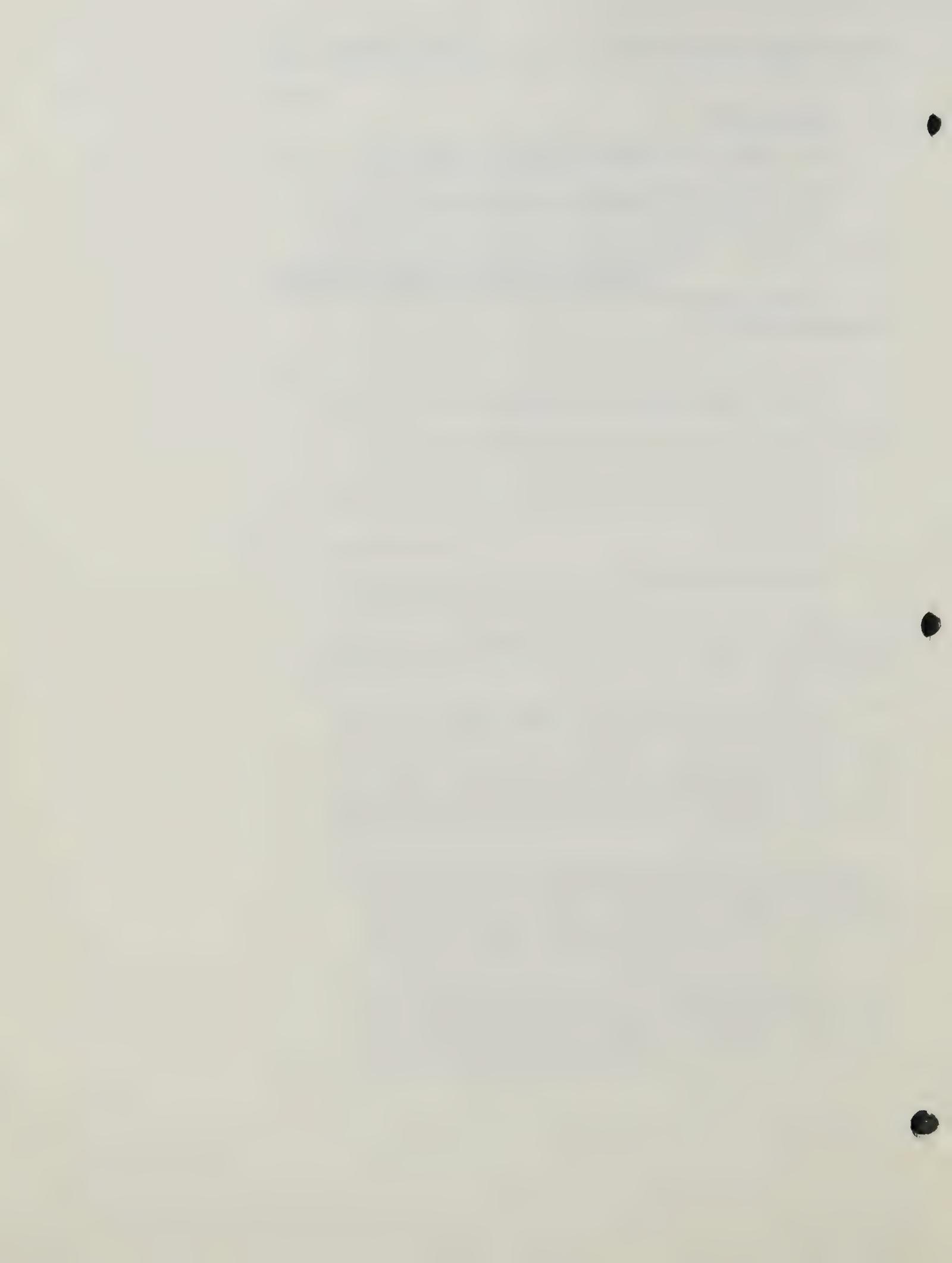
11. **ADJOURNMENT**

There being no further business, the Committee then adjourned.

Taken and read and approved,

**ALDERMAN V. J. AGRO, ACTING CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Tina Agnello, Secretary



2.

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO: Miss T. Agnello, Secretary ✓
Transport and Environment Committee

FROM: Mr. K. E. Avery
City Clerk

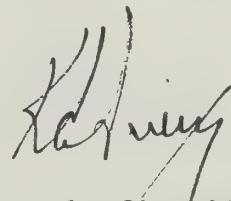
SUBJECT: LETTER FROM CITY OF TORONTO
RE: THE IMPLEMENTATION AND
ENFORCEMENT OF THE CFC
(CHLOROFLUOROCARBON) BY-LAW

YOUR FILE:

OUR FILE:

PHONE: 546-4587

DATE: 1990 November 1



Attached please find a copy of a letter dated October 10, 1990 from the City of Toronto respecting the implementation and enforcement of the CFC (chlorofluorocarbon) By-law which City Council at its meeting held October 30, 1990 referred to the Transport and Environment Committee.

att.



RECEIVED

OCT 15 1990

CITY OF TORONTO

CITY CLERKS

Department of the City Clerk

City Hall, Toronto, Ontario, Canada M5H 2N2
Telephone 392-7026
Fax 392-6990
TDD 392-7354

Barbara Caplan / City Clerk

Sydney Baxter / Deputy City Clerk

Reply to: C. Dodds, 392-7031

Please refer to: 90exec22-31:4

October 10, 1990

TO: ALL ONTARIO MUNICIPALITIES
WITH A POPULATION OVER 50,000

City Council at its meeting held on October 1 and 2, 1990, gave consideration to the attached Clause 31 contained in Report No. 22 of the Executive Committee, entitled "Implementation and Enforcement of the CFC (Chlorofluorocarbon) By-law No. 30-89".

During consideration of this Clause, Council also had before it a report (September 27, 1990) from the City Solicitor.

Council adopted the following recommendations:

1. That By-law No. 230-89, as amended, be repealed and replaced with the draft by-law attached to the report (September 27, 1990) from the City Solicitor, that such draft by-law be approved, and authority be granted for the introduction of the necessary Bill in Council to implement the draft by-law, and further that City Council approve the establishment, by the Medical Officer of Health, of temporary personnel positions to implement and enforce the by-law, as described in the joint report (September 12, 1990) from the Medical Officer of Health and the City Solicitor.
2. That the City Solicitor be authorized to continue to seek special legislation from the Province by way of amendment of the City of Toronto Act, substantially in the form of draft legislation proposed on February 9, 1989, with the exception that Section 1 be amended in accordance with this report (Section 3.3).

October 3, 1990

3. That the joint report (September 12, 1990) from the City Solicitor and the Medical Officer of Health be disseminated to all Ontario municipalities with populations greater than 50,000 people.
4. That the Medical Officer of Health and the Executive Director, Management Services Department, report to Executive Committee with a detailed strategy and budget requirements to give effect to the implementation and enforcement of the amended by-law as soon as possible.
5. That the City Solicitor, in consultation with Councillor O'Donohue and the Medical Officer of Health, report further on including in the by-law, 'methylchloroform' and 'methyltetrachloride'.

Yours truly,

B Caplan
City Clerk

HC /bb
IR

Encl.

c.c. Medical Officer of Health
City Solicitor
Executive Director of Management Services
Budget Review Group
Councillor O'Donohue

CITY OF TORONTO
DEPARTMENT OF THE
CITY CLERK

CLAUSE EMBODIED IN REPORT NO. 22 OF THE
EXECUTIVE COMMITTEE WHICH WAS AMENDED AND
ADOPTED BY CITY COUNCIL AT ITS MEETING
HELD ON OCTOBER 1 & 2, 1990

31

**IMPLEMENTATION AND ENFORCEMENT OF THE CFC
(CHLOROFLUOROCARBON) BY-LAW NO. 30-89**

The Executive Committee recommends that:

1. the CFC By-law (No. 230-89) be amended substantially in the form set out in Appendix B of the joint report (September 12, 1990) from the City Solicitor and the Medical Officer of Health and authority be granted for the introduction of the necessary bill in Council to give effect thereto, subject to approval by City Council for the Medical Officer of Health to establish temporary positions to implement and enforce the by-law.
2. the City Solicitor be authorized to continue to seek special legislation from the Province by way of amendment of the City of Toronto Act, substantially in the form of draft legislation proposed on February 9, 1989, with the exception that Section 1 be amended in accordance with this report (Section 3.3).
3. the joint report (September 12, 1990) from the City Solicitor and the Medical Officer of Health be disseminated to all Ontario municipalities with populations greater than 50,000 people.
4. the Medical Officer of Health and the Executive Director, Management Services Department, report to Executive Committee with a detailed strategy and budget requirements to give effect to the implementation and enforcement of the amended by-law as soon as possible.

The Executive Committee advises that it has requested the City Solicitor to report directly to City Council on October 1, 1990, on the final form of the by-law.

The Executive Committee further advises that it has requested the Budget Review Group to report to a subsequent meeting of the Executive Committee on the financial implications of the proposed by-law.

The Executive Committee submits the joint report (September 12, 1990) from the Medical Officer of Health and the City Solicitor:

Origin: Medical Officer of Health and City Solicitor, August 18, 1988, (c34exec90065:632)

Recommendations:

1. That the CFC By-law No. 230-89 be amended as proposed in Appendix B of this report and authority be granted for the introduction of the necessary by-law in City Council to give effect thereto, subject to approval by City Council for the Medical Officer of Health to establish temporary positions to implement and enforce the by-law.
2. That the City Solicitor be authorized to continue to seek special legislation from the Province by way of amendment of the City of Toronto Act, substantially in the form of draft legislation proposed on February 9, 1989, with the exception that Section 1 be amended in accordance with this report (Section 3.3).

3. That this report be disseminated to all Ontario municipalities with populations greater than 50,000 people.
4. That the Medical Officer of Health and the Executive Director, Management Services Department, report to Executive Committee with a detailed strategy and budget requirements to give effect to the implementation and enforcement of the amended by-law as soon as possible.

Summary:

The City CFC (Chlorofluorocarbon) By-law (No. 230-89) was passed by Council on April 9, 1989, and amended, with respect to the dates of its coming into force, on June 29, 1989. A detailed program plan for its implementation and enforcement, submitted to the Executive Committee (May 2, 1989) by the Medical Officer of Health and the Executive Director, Management Services Department, was approved by the Budget Review Group at its meeting of July 11, 1989, and was forwarded to the Executive Committee. At its meeting of August 8, 1989, the Executive Committee put the program plan on hold for one month. Executive Committee then requested that the Medical Officer of Health consult with the City Solicitor, the Ontario Ministry of the Environment and Environment Canada regarding provincial and federal regulatory initiatives that would supersede sections of the City By-law.

The report provides an update on activities by other jurisdictions regarding the control of CFCs. In addition, an amended by-law and program plan are presented, in which the initiatives and areas of responsibility of the provincial and federal governments jurisdictions are more closely integrated with those of the City.

City of Toronto Department of Public Health

Proposed Amendments to the City CFC By-Law No. 230-89
September 12, 1990

Table of Contents

1.0 Background

- 1.1 The Development of the Current By-Law
- 1.2 The Original Implementation and Enforcement Plan for the Current By-Law
- 1.3 Influence of the City CFC By-Law on Other Jurisdictions

2.0 Review of CFC Control Initiatives in Other Jurisdictions

- 2.1 Ontario
- 2.2 Canada
- 2.3 Overlap of Federal, Provincial and Municipal Initiatives

3.0 Implications for the City CFC By-Law of the Provincial and Federal Initiatives

3.1 Proposal and Rationale for an Amended By-Law

3.2 Enabling Legislation for the City By-Law

4.0 Implementation and Enforcement Plan

4.1 Staffing Requirements and Timing

Appendices

Appendix A: City CFC By-law

Appendix B: Proposed Amended By-law

**Appendix C: Projected Ontario Phase-Out Highlights
For Ozone Depleting Substances**

**Appendix D: Projected Prohibited Dates by Environment
Canada for Various CFC Use Categories**

1.0 Background

1.1 The Development of the Current By-Law

The current City of Toronto CFC By-law (see Appendix A) was passed by City Council on April 6, 1989, and is intended to significantly reduce CFC and halon emissions in the City. The By-law includes: prohibitions on the manufacturing of products or equipment that emit or could emit CFCs or halons to the atmosphere; restrictions on the method of disposal of such products or equipment; prohibitions on the venting of CFCs or halons to the atmosphere during the repair or testing of equipment; prohibitions on the sale of various products that release CFCs during manufacturing processes; and the requirement for all companies handling these chemicals as part of their business activity to register with and provide specific information to the Medical Officer of Health on the types and quantities of CFCs used.

The concept behind the by-law originated with a motion of City Council on August 18, 1988. Council referred the motion at that time to the City Solicitor and the Medical Officer of Health for report to the Executive Committee. The Executive Committee considered the motion along with submissions by the City Solicitor and the Medical Officer of Health at its meeting of August 31, 1988. The subsequent Executive Committee Report No. 32, Clause 66 contained nine recommendations concerning the manufacture, sale, distribution and use of chlorofluorocarbons and halons in the City of Toronto. Included in these recommendations were the original recommendations of City Council's motion, as well as the recommendation that the Medical Officer of Health report to The Board of Health on the options for a CFC reduction strategy for the City, and a recommendation that the City Solicitor be authorized to draft and seek special legislation to strengthen and extend Council's authority for the passage of CFC by-laws. This clause was adopted by City Council at its meeting of September 6 and 9, 1988. Subsequently, the Medical Officer of Health submitted a "CFC Reduction Strategy for the City of Toronto" to the Board of Health for consideration at its meeting of November 24, 1988. This report was sent to Council with the recommendation that it be adopted. The City Solicitor submitted a draft by-law to the Executive Committee for consideration at its meeting of December 13, 1988. At that meeting, the Executive Committee adopted both the CFC Reduction Strategy and the new by-law.

On January 11, 1989, the Board of Health heard a number of deputations with respect to the proposed CFC reduction strategy. The Board then directed the City Solicitor to amend the draft by-law and the Medical Officer of Health to report on the elements of a program necessary to implement and enforce the by-law. A joint report to the Board of Health by the City Solicitor and the Medical

Officer of Health in February of 1989 recommended amendments to the draft by-law and suggested elements of a program for its implementation and enforcement. This report, along with a number of other deputations, was considered by the Board of Health on February 22, 1989. The recommendations of the Board of Health were passed to Executive Committee, whose members then requested more detailed program and budget information. The by-law was passed by Council on April 9, 1989, and a subsequent report (May 2, 1989) to Executive Committee from the Medical Officer of Health and the Executive Director, Management Services, provided a more detailed Program plan and budget for review by Executive Committee and Budget Review Group.

At the City Council meeting of June 29, 1989, the by-law was amended by setting the implementation dates for each of the clauses back by four to six months (see Appendix A). Other than amending the implementation schedule, no substantive changes were made to the text of the by-law. The implementation and enforcement program plan budget, with a reduction for 1989 due to delayed implementation, was approved by Budget Review Group at its meeting of July 11, 1989, and passed to Executive Committee. At its meeting of August 8, 1989, the Executive Committee requested that the Medical Officer of Health consult with the City Solicitor, the Ontario Ministry of the Environment and Environment Canada regarding provincial and federal regulatory initiatives that would supersede sections of the City by-law. This consultation has experienced a number of frustrating delays but a clearer picture of the emerging regulatory framework has been the result.

1.2 The Original Implementation and Enforcement Plan for the Current By-Law

The original Program Plan submitted to the Executive Committee called for the creation of a CFC team of four temporary employees operating as part of the Environmental Protection Office, Department of Public Health. The staff of the team would include a Hazardous Waste Minimization Coordinator, a Research Assistant, a Hazardous Waste Officer, and a Central Resources Clerk. Additional space would be rented. New equipment would be purchased, including furniture and computer equipment, for one-time-only expenses of \$12,217. The total annual cost of the program was estimated at \$270,000. It was expected that the funding would be required for three years only, after which a reduced program would be integrated into Environmental Health and Inspection Services of the Department of Public Health.

1.3 Influence of the City CFC By-Law on Other Jurisdictions

The City CFC By-law has been partly responsible for stimulating action on the CFC issue in other jurisdictions. In February of 1989, prior to the passing of the by-law by Council, but after the City CFC reduction strategy and draft by-law had been made public, both the Ontario Minister of the Environment and the Federal Minister of the Environment announced CFC control initiatives (see Section 2.0). The areas of CFC use to be controlled by the Provincial and Federal initiatives overlap to some degree with the areas covered by the City by-law. Consequently, questions were raised at the various City committees reviewing the by-law and its implementation plan as to the redundancy of the by-law with respect to the newly announced provincial and federal initiatives.

The City by-law resulted in considerable activity in other Canadian municipalities to initiate similar local CFC by-laws. It has been argued that the result has been a "patchwork quilt" of CFC regulation across Canada wherein each jurisdiction has established different CFC legislation. To respond to this problem, the Federal Government formed in September of 1989 the Ad Hoc Working Group of the Federal-Provincial Canadian Environmental Protection Act Advisory Committee, to harmonize CFC-control regulations at the various levels of government in Canada. A staff member of the City of Toronto's Environmental Protection Office was invited to join that working group and currently sits on the committee.

The remainder of this report summarizes the initiatives at higher levels of government, presents a proposed set of amendments to the City's current CFC By-law to complement these initiatives and the work of the Ad Hoc Group, and introduce a program of implementation and enforcement for the amended by-law that is reduced in scope and cost from the one originally proposed.

2.0 Review of CFC Control Initiatives in Other Jurisdictions

2.1 Ontario

The Ontario Legislature passed Bill 218, "An Act to Amend the Environmental Protection Act", effective June 20, 1989. Under this Bill, Part V of the Environmental Protection Act (EPA) was amended to include a number of sections dealing with ozone depleting substances, including a section enabling the creation of regulations to control these substances. The regulations under the Ontario EPA are intended to phase out the use of CFCs in most areas over a number of years (see Appendix C). Aerosols and rigid foam packaging made with CFCs are already prohibited under Regulation 394/89, promulgated June 30, 1989. However, sell-through periods of three and six months respectively were built into the regulation, along with a list of exempted aerosol uses.

On May 3, 1990, the Minister announced a second set of initiatives to cut in half Ontario's consumption of CFCs and to facilitate CFC recycling. Consumption is to be reduced by a phased reduction of CFCs in rigid foam insulation, ending in a complete ban by December 31, 1993. Insulation in appliances, water heaters, refrigerated vehicles and rail cars will be exempt until substitutes are developed. Further reductions will arise from the immediate ban of home refrigerator/auto air conditioner repair kits and from the removal of the exemption for CFCs as aerosol propellants for certain drugs and medicines.

Recycling will be facilitated by a requirement for the capture and recycling of CFCs during the maintenance and servicing of automobile air conditioners, truck and rail car refrigeration units as of July 1, 1991. A recycling infrastructure will be further facilitated by exempting CFCs from many of the province's manifest requirements under Regulation 309 of the EPA.

The Ministry of the Environment has not yet released regulations or regulatory amendments to support these initiatives. These are expected during the month of September (OMOE, 1990).

2.2 Canada

The Federal Minister of the Environment has announced his government's intention to eliminate the use of designated CFCs with high ozone depletion potential in Canada by 1997 (Environment Canada, 1990a). Regulations under the Canadian Environmental Protection Act (CEPA) limiting future production (including imports) of CFCs to 50 percent of 1986 levels are already in place. It is anticipated that these will be amended in the next year or two to achieve the stated goal of 100 percent elimination (Environment Canada, 1990b).

In addition, regulations have been made public (Supply and Services Canada, 1989) that set a timetable for the prohibition of a number of products that contain ozone depleting substances, and that prohibit the production and set limits on the importation of halons.

The new regulations are part of a long-term schedule by the Federal Government for the phasing out of CFCs and halons (see Appendix D). With respect to specific CFC uses, the new regulations prohibit:

1. The manufacturing, import or sales of aerosols and other small, non-essential products containing pressurized CFCs, with a three-year delay for certain important commercial uses, and a complete exemption for medical uses;
2. The manufacture, import, or sale of food packaging materials or containers in the production of which CFCs were used as foaming agents;
3. The manufacture, import or sale of hand-held halon or CFC-containing fire extinguishers, with the exception of their use for fire prevention on military tactical service vehicles and large airplanes.

Regulations regarding numbers 1 and 2 above are expected to be promulgated by late Autumn 1990, while a draft regulation on hand-held fire extinguishers is expected to be made public later this year. In addition, discussions between the Federal Government and industry are on-going with respect to the future phasing out of rigid foams, packaging for non-food uses, flexible foams, refrigerants, solvents, and other uses of CFCs (see Appendix D).

2.3 Overlap of Federal, Provincial and Municipal Initiatives

Table 2.1 compares the Sections of the City of Toronto CFC By-law, the Ontario Ministry of the Environment schedule to regulate under the EPA, and the Federal Government schedule to regulate under the CEPA. The types of initiatives can be classified into six main groups: database development, production controls, manufacturing/sales prohibitions or restrictions, emission controls, disposal, recovery and recycling initiatives, and long-term substitution requirements.

Database development is assisted by legislation at all three levels of government, but the criteria are different at each level. The federal government, under CEPA, collects information on the producers, importers and exporters, and major users of CFCs. This effort has been proceeding since 1987 (Environment Canada, 1990b).

The provincial government collects information under Regulation 309 of the EPA on those firms that generate CFC 11 and CFC 113 as part of the servicing of commercial coolers, freezers, and air conditioning units, and firms that subsequently transport these CFCs to recovery facilities. Unfortunately, regulatory requirements under Regulation 309 currently make the transportation of recycled CFCs a cumbersome administrative exercise. In an effort to facilitate CFC recovery and recycling, the OMOE is expected to streamline the requirements of this regulation as they relate to CFCs to reduce the paperwork burden on many individuals and companies who handle them. When these amendments are in place, it is anticipated that more information on CFC movements and quantities will become available and a complete CFC database will be set-up (OMOE, 1990). With regard to our own jurisdiction, the City's existing CFC By-law requires registration with the Medical Officer of Health by all firms that handle or use CFCs or halons in the course of their business activity.

The control of production, including importing and exporting, is clearly in the federal jurisdiction, and was never included in provincial initiatives or in the City by-law. Manufacture is prohibited in the current City By-law to the extent that alternatives to CFCs exist. However, it would appear that the federal government, by way of regulation, investigation and consultation with industry, will ensure that the manufacture of a product will be prohibited within a reasonable time period following the approval of any feasible alternative.

More significant overlaps do occur in the areas of sales prohibitions and emission controls. The principal areas of overlap are in aerosols, foam insulation, and packaging bans. In the case of aerosols and foam packaging, the Province's regulations have preceded the City's By-law, and the federal regulations are also expected to do so. The Provincial regulations on foam insulation proposes a phase out by 1993, three years later than the implementation date set by the City By-law. This provincial phase-out timetable has been developed in consultation with industry representatives. Although the City of Toronto may have preferred to see an earlier implementation date for provincial action, it appears that the delays are due largely to technical considerations, and not to political or bureaucratic inaction. It is therefore unlikely that the City could have accelerated the process substantially. Federal regulations in this area have not yet been announced, but are expected to permit industry more time to comply than do the proposed provincial regulations.

In contrast to the areas of overlap identified above, emission control, recovery and recycling of refrigerants from commercial, institutional or domestic air conditioning and refrigeration systems are regulated by the City by-law alone. The OMCE has proposed regulations directed at mobile air conditioners and refrigerators for automobiles, trucks and rail cars, but has not yet announced any regulatory action directed at stationary commercial, institutional or domestic units.

In place of regulation, the Ministry has consulted extensively with industry representatives in an effort to encourage and accelerate the development of a recycling infrastructure. These discussions have resulted in the proposed amendments to Regulation 309 and a preliminary strategy for the set-up of an infrastructure operated by the private sector. There are no immediate plans to require service technicians to feed into the system. Instead, the OMOE is hoping that industry pressure, along with the availability of a convenient and accessible recycling infrastructure, will provide sufficient incentive to recycle voluntarily. However, Ministry officials have indicated that regulation will be considered in the future if recycling does not occur at a satisfactory level (OMOE, 1990).

With regard to the question of disposal, once again there appears to be no overlap between the City's by-law and either provincial or federal initiatives. The Department of Public Works (DPW) is currently in the middle of a trial program for the recovery of refrigerant from discarded household refrigerators and freezers. According to the DPW's progress report, the refrigerant had escaped from almost 99 percent of the discarded appliances prior to their return to the collection depot. A further update is expected in September. In addition, the OMOE has been in contact with the DPW and is proposing a second pilot project that would attempt to determine when these refrigerants are actually released (OMOE, 1990).

In summary, Table 2.1 clearly illustrates two areas where the CFC By-law does not overlap with the initiatives from the higher levels of government. Sections 4 and 5 of the City CFC By-law (see Appendix A), dealing with methods of disposal of equipment containing CFCs and the recovery of those CFCs, and Section 6, dealing with the prohibition against the venting to the air of CFCs from any equipment containing coolants during servicing, are not paralleled in the federal or provincial regulations.

3.0 Implications for the CFC By-law of the Provincial and Federal Initiatives

Given the breadth and nature of the regulations being developed at the provincial and federal levels, as well as the work on harmonization being conducted across three levels of government, the City CFC By-law as it currently exists may no longer be appropriate. As indicated above, some of the Sections duplicate current or forthcoming provincial and federal regulations.

Conversely, the Ad Hoc Working Group of the Federal-Provincial Canadian Environmental Protection Act Advisory Committee has identified certain areas which the members feel are most appropriate for municipal initiatives. These include: the recovery and recycling of CFCs from equipment such as refrigeration equipment destined for disposal; the monitoring and enforcement of recovery and recycling of CFCs by commercial users of such equipment; and the establishment of recovery and recycling requirements under various permitting programs at the municipal level.

It is, therefore, recommended that the existing CFC By-law be amended to eliminate areas of duplication. A detailed rationale for each proposed amendment is provided in Section 3.1, and summarized at the end of the section. The proposed amended by-law is attached as Appendix B. The current CFC By-law is attached as Appendix A for reference.

3.1 Proposal and Rationale for an Amended By-law

What follows is a discussion of each section of the current by-law, providing a rationale for each recommended amendment.

Section 1: (to be retained with amendments)

"1. In this By-law,

(a) "City" means the City of Toronto;

(b) "Chlorofluorocarbons" means one or more of the following substances:

Trichlorofluoromethane	(CC13F)	known as CFC 11
Dichlorodifluoromethane	(CC12F2)	known as CFC 12
Trichlorotrifluoroethane	(C2C13F3)	known as CFC 113
Dichlorotetrafluoroethane	(C2F4C12)	known as CFC 114
Chloropentafluoroethane	(C2F5C1)	known as CFC 115

(c) "dispose" means to dispose for the purpose of garbage, refuse, or for destruction, and not for re-use;

(d) "halons" means one or more of the following substances:

difluorobromochloromethane	(CF ₂ BrCl)	known as halon 1211
trifluorobromomethane	(CF ₃ Br)	known as halon 1301
tetrafluorodibromoethane	(C ₂ F ₄ Br ₂)	known as halon 2402

(e) "sell" means to offer for sale, expose for sale, have in possession for sale and distribution, whether or not the sale or distribution is made for consideration."

This Section defines terms, and thus should remain unchanged with the exception of the deletion of sub-Section (e), which deals with the definition of the term "sell". Since the proposed amendments include the deletion of all Sections pertaining to sales, this definition is not required.

Section 2: (to be deleted)

"2. No person in the City shall manufacture any product or equipment which contains and emits or could emit chlorofluorocarbons or halons or both into the atmosphere, unless

- (1) there is, at the time of manufacture, no alternative to the use of the chlorofluorocarbons or halons, and there exists in connection with such manufacture, a properly operating recovery system for the chlorofluorocarbons or halons; and
- (2) an audit for chlorofluorocarbons and halons has been conducted in accordance with Section II."

As many of the products covered by this Section are also covered by current or upcoming provincial and federal regulations, and as the manufacture and import (and thus the availability) of the controlled CFCs will be phased out by 1997 by the federal regulations now under development, this Section should be deleted from the amended by-law. This amendment will also be in the spirit of cooperation with the harmonization efforts of the Ad Hoc Working Group.

Section 3: (to be deleted)

"3. No person in the City shall manufacture products or equipment containing chlorofluorocarbons or halons that can be drained or recovered from the product or equipment unless the product or equipment is equipped or designed so as to permit the proper installation or use for its intended purpose without leakage of the chlorofluorocarbons or halons."

As with Section 2, and for the same reasons, this Section should be deleted from the amended version.

Section 4: (to be retained unamended)

"4. Every person in the City who disposes of any product or equipment that contains chlorofluorocarbons or halons in a form which can be drained or recovered from the product or equipment shall only dispose of such product or equipment

- (1) by delivering such product or equipment to a recovery site established by the City or authorized by the Council of the City;
- (2) by delivering such items for municipal garbage disposal in accordance with garbage recovery systems established by the City; or
- (3) by ensuring that prior to disposal, the chlorofluorocarbons and halons contained therein are drained and recovered from the product or equipment and thereafter transported intact to a recovery site established or authorized by the City."

This Section deals with the proper disposal of products or equipment containing CFCs. Traditionally, the responsibility for municipal solid waste disposal is that of municipal and/or regional governments, and Table 2.1 shows that neither of the two higher levels of government have indicated their intention to regulate in this area. Accordingly, this area of CFC control has been identified by the Ad Hoc Working Group as being appropriate for municipal jurisdiction. This Section should remain in the amended by-law as Section 2.

Section 5: (to be retained with amendments)

"5. Notwithstanding Section 4, no person in the City shall dispose or permit the disposal of any vehicular air conditioning unit containing chlorofluorocarbons unless the chlorofluorocarbons are removed prior to such disposal."

This Section should remain in the amended by-law as Section 3 for the same reasons as indicated above, with the addition of the words "and recovered" after the word "removed" to ensure that refrigerant is not removed and released.

Section 6: (to be retained unamended)

"6. No person in the City shall service or repair or permit the servicing or repair of any air conditioner, air conditioning equipment or system including any vehicular air conditioning system, chiller, refrigerator, freezer, refrigerating or cooling equipment or system, unless such person ensures that any coolant containing chlorofluorocarbons is not vented to the atmosphere during the servicing or repair process."

This Section deals with CFC emission controls during the servicing of equipment containing coolants. While emission controls to the atmosphere are often a provincial responsibility, the large number and small average size of the establishments to which this particular control measure applies would suggest that the municipality is an appropriate jurisdiction for regulation and enforcement. Again, Table 2.1 reveals that neither the provincial nor the federal governments have indicated their intention to regulate emissions of CFCs from establishments servicing cooling and refrigeration units of various kinds. Thus, this Section should remain unchanged as Section 4 in the amended version of the CFC By-law.

Section 7: (to be deleted)

"7. No person in the City shall sell or install any rigid foam material for building insulation that contains chlorofluorocarbons or with respect to which chlorofluorocarbons are used as a blowing agent during the manufacturing process."

The control measures covered by this Section are expected to be adequately covered by provincial regulations that are expected in September 1990 (see Table 2.1). Although the phase-out date is three years behind the OMOE's originally announced schedule, the reasons for the delay appear to be technical in nature and would not likely be solved by a municipal presence. Therefore, this Section should be deleted from the amended by-law.

Section 8: (to be deleted)

"8. No person in the City shall manufacture or sell any aerosol container that uses chlorofluorocarbons as a propellant, except aerosol containers of products used for medical purposes."

The control measures covered by this Section are adequately covered by federal and provincial regulations (see Table 2.1). Therefore, this Section should be deleted from the amended by-law.

Section 9: (to be retained unamended)

"9. No person in the City shall test or service any fire extinguisher or fire extinguisher system if such test or servicing causes or could cause the release of halons in the atmosphere."

Table 2.1 indicates that the proposed provincial regulations will cover the problem of halons vented into the atmosphere during testing. However, the provincial regulation is not scheduled until the end of 1992. Other initiatives in this area (see Appendices C and D) include a proposed provincial regulation requiring the recapture and recycling of halons from fire extinguishers destined for disposal, and a proposed federal regulation to ban the sale of hand-held fire extinguishers some time during 1991. It has been estimated that 20 percent of the annual production of halons is emitted to the atmosphere as a result of testing, servicing, or accidental release. By contrast, only ten percent is emitted as a result of actual use in extinguishing fires (UNEP, 1989).

The emissions due to testing, particularly those due to the testing of total flooding fire suppression systems, can be prevented through the use of proven alternative testing procedures (National Fire Protection Research Foundation, 1989; UNEP, 1989; Shanahan, 1989). Because no other jurisdiction has expressed an intention to regulate these emissions in the next two years, a large volume of halons may be needlessly vented to the atmosphere from establishments in the City of Toronto over that period if this Section is deleted from the by-law. Accordingly, it should remain in the amended by-law as Section 5.

Section 10: (to be deleted)

"10. No person in the City shall manufacture, distribute or sell any plastic foam material or any other product or material containing chlorofluorocarbons or for which chlorofluorocarbons have been used as a blowing agent during the manufacturing process, for the purpose of packaging, wrapping or containing edible or non-edible products."

This Section should be deleted from the amended by-law for the reasons indicated for Section 8.

Section 11: (to be deleted)

"11. Every employer in the City where the business activity includes the handling and use of chlorofluorocarbons or halons in furtherance of the business activity, shall

- (1) within seven months after the passing of this by-law, register a notice with the Medical Officer of Health identifying the quantity, types and use of chlorofluorocarbons and halons in the business activity;
- (2) within eighteen months after the passing of this by-law, conduct and submit an audit to the Medical Officer of Health which sets out a material balance of the chlorofluorocarbons and halons used in the business activity, and identifies the methods used for recovery and reclamation of the chlorofluorocarbons and halons; and
- (3) if such business activity is commenced after the eighteen month period referred to in sub-section (2), register the notice required by sub-section (1) and submit the audit required by sub-section (2) to the Medical Officer of Health at the time of commencing operation of the business activity."

Information on the major users of CFCs is collected by the federal government under the authority of the Canadian Environmental Protection Act (see Part 2.3). In addition, companies servicing commercial coolers, freezers, and air conditioning units and transporting the contaminated coolants for recycling must register as generators of a hazardous waste under the Ontario Environmental Protection Act's Regulation 309. The remaining users or handlers are, for the most part, subject to the control, recovery and disposal Sections of the amended City CFC By-law (Sections 4,5 and 6 of existing by-law).

The City employee responsible for enforcing the by-law would, under the proposed revised implementation and enforcement plan (see Section 4.1), also be responsible for identifying and monitoring CFC users on an on-going basis. As these companies (service stations, refrigeration repair services, etc.) are fairly easily identified for the purpose of education programs and inspections, it is not necessary to retain the registration requirement in the amended by-law. Dropping this requirement would have the added benefit of sparing a number of firms the necessity of registration with more than one level of government. Thus, it is proposed that this Section not be included in the amended by-law.

Section 12: (to be retained with amendments)

"12. This by-law shall come into force as follows:

- (1) Sections 1 and 9 shall come into force seven months after the date of passing of the by-law;
- (2) Sections 2, 3, 7, 8 and 10 shall come into force eighteen months after the date of passing of the by-law; and

(3) Sections 4, 5, and 6 shall come into force twenty-four months after the date of passing of the by-law."

An amended version of this Section must be included in the new by-law, as it deals with the date on which the various Sections come into force. In order to provide sufficient time to prepare for implementation, education and enforcement, a period of four months should be set aside between the hiring of an inspector and the by-law coming into force. Consequently, Section 12 should be included in the amended by-law as Section 6, to read as follows:

"6. This by-law shall come into force on April 6, 1991."

Section 13: (to be retained with amendment)

"13. Any person who contravenes any provision of this by-law is guilty of an offence."

As this Section deals with non-compliance, it should remain in the amended by-law. The changes to be made reflect the other changes in the by-law and recent amendments to the Municipal Act and the Provincial Offences Act under which the maximum fine is now \$5,000.

In summary this report recommends that the existing CFC By-law be amended as follows:

1. Delete Sections 1(e), 2 and 3, dealing with general manufacturing and sales definitions and prohibitions;
2. Insert after "unless the chlorofluorocarbons are removed" in Section 5 the words "and recovered".
3. Delete Sections 7, 8, and 10 dealing with specific product bans;
4. Delete Section 11, dealing with registration and audit requirements;
4. Delete Section 12 and substitute the following:

"This by-law shall come into force on April 6, 1991."

5. Amend Section 13 to update it with the current provisions of the Municipal Act and Provincial Offences Act.

The amendments outlined above would result in the retention of:

1. Sections 1 and 12 (in slightly modified form), dealing with definitions and dates of coming into force;
2. Sections 4 and 5, dealing with the disposal of products and equipment containing CFCs and the recovery of the CFCs;
3. Sections 6 and 9, dealing with the prohibition of CFC emissions to the atmosphere during the servicing of equipment or the testing of fire extinguishers;
4. Section 13, dealing with offences.

3.2 Enabling Legislation for the City By-Law

The City Solicitor advises that the authority for the by-law would be section 104 of the Municipal Act but that since such authority is not free from doubt then the City should seek special legislation, but that it would be appropriate to amend Section 1 of the Draft Legislation previously before Council to read as follows:

"1. The Council of the Corporation may pass by-laws for regulating the disposal of chlorofluorocarbons and halons, and the testing, servicing and repair of products, material and equipment containing or manufactured using chlorofluorocarbons or halons."

4.0 Implementation and Enforcement Plan

The Medical Officer of Health and the Executive Director, Management Services Department should be directed to report to Executive Committee with a detailed implementation and enforcement plan including budget requirements to give effect to the implementation and enforcement of the amended by-law as soon as possible. A brief description of the staffing requirements and timing of this implementation plan is given in the following section.

4.1 Staffing Requirements and Timing

It is proposed that the implementation and enforcement of the amended by-law be the responsibility of one Public Health Inspector (PHI) working on secondment as part of a two-year pilot program. It is also proposed that the new temporary position be created in Environmental Health Services, Eastern Health Area. Although the position would be based in the Environmental Services Office of the Eastern Health Area, and would report directly to the Manager of that office, the area of responsibility with respect to the duties of implementation and enforcement would be the entire City of Toronto.

It is further proposed that the pilot program be commenced on December 1, 1990, four months in advance of the coming into force (April 6, 1991) of the amended by-law, and that the need for continuation of the program be evaluated in the six months prior to its termination on November 30, 1992. It should be noted that the length of time that the program would be in operation after the coming into force of the by-law would be 20 months.

References

1. Environment Canada. 1990a. (Press Release) Ottawa. June 20, 1989.
2. Environment Canada. 1990b. Tim Leah, Commercial Chemicals Branch, Personal Communication, August 29, 1990.
3. National Fire Protection Research Foundation. Enclosure Integrity Procedure for Halon 1301 Total Flooding Fire Suppression Systems. Casey Grant, Ed. January 10, 1989.
4. Ontario Ministry of the Environment. Ontario Phase-Out of Ozone Depleting Substances (Factsheet). Toronto. February 1989.
5. Ontario Ministry of the Environment (OMOE). 1990. Sharon Suter, Waste Management Branch. Personal Communication, August 29, 1990.
6. Shanahan, Walter J. Fire Chief's Report to Board of Health on the Use of Halons as an Extinguishing Agent. January 6, 1989.
7. Supply and Services Canada. Canada Gazette. Part I. Vol. 123, No. 46. November 18, 1989. pp. 5034-5059.
8. United Nations Environment Program (UNEP). Montreal Protocol Assessment, Technology Review: Final Report of the Halons - Technical Option Committee. August 11, 1989.

Appendix A

Existing By-law

City of Toronto CFC By-law

No. 230-89 A By-law

To prohibit and regulate the manufacture, use, distribution, recovery and disposal of certain products, material, and equipment containing or manufactured with chlorofluorocarbons and halons.

(Passed April 6, 1989.)

Whereas the Council of the City is of the opinion that the destruction of the ozone layer of the earth's atmosphere is caused in part by the action of ultra-violet rays on certain synthetic chemicals known as chlorofluorocarbons and halons;

And whereas the depletion of the ozone layer will allow excess ultra-violet rays to reach the earth's surface, which may cause serious irreparable damage to all living tissues;

And whereas such chemicals are found in various manufactured products, material and equipment including such items as certain refrigerators, air-conditioning and cooling systems, rigid foam insulation, certain flexible foam materials, cleaning solutions and packaging for food and other matter;

Therefore the Council of the Corporation of the City of Toronto enact as follows:

1. In this By-law,

(a) "City" means the City of Toronto;

(b) "Chlorofluorocarbons" means one or more of the following substances:

Trichlorofluoromethane	(CC13F) known as CFC 11
Dichlorodifluoromethane	(CC12F2) known as CFC 12
Trichlorotrifluoroethane	(C2C13F3) known as CFC 113
Dichlorotetrafluoroethane	(C2F4C12) known as CFC 114
Chloropentafluoroethane	(C2F5C1) known as CFC 115

(c) "dispose" means to dispose for the purpose of garbage, refuse, or for destruction, and not for re-use;

(d) "halons" means one or more of the following substances:

difluorobromochloromethane	(CF2BrC1) known as halon 1211
trifluorobromomethane	(CF3Br) known as halon 1301
tetrafluorodibromoethane	(C2F4Br2) known as halon 2402

(e) "sell" means to offer for sale, expose for sale, have in possession for sale and distribution, whether or not the sale or distribution is made for consideration.

2. No person in the City shall manufacture any product or equipment which contains and emits or could emit chlorofluorocarbons or halons or both into the atmosphere, unless

- (1) there is, at the time of manufacture, no alternative to the use of the chlorofluorocarbons or halons, and there exists in connection with such manufacture, a properly operating recovery system for the chlorofluorocarbons or halons; and
- (2) an audit for chlorofluorocarbons and halons has been conducted in accordance with Section II.

3. No person in the City shall manufacture products or equipment containing chlorofluorocarbons or halons that can be drained or recovered from the product or equipment unless the product or equipment is equipped or designed so as to permit the proper installation or use for its intended purpose without leakage of the chlorofluorocarbons or halons.

4. Every person in the City who disposes of any product or equipment that contains chlorofluorocarbons or halons in a form which can be drained or recovered from the product or equipment shall only dispose of such product or equipment

- (1) by delivering such product or equipment to a recovery site established by the City or authorized by the Council of the City;
- (2) by delivering such items for municipal garbage disposal in accordance with garbage recovery systems established by the City; or

- (3) by ensuring that prior to disposal, the chlorofluorocarbons and halons contained therein are drained and recovered from the product or equipment and thereafter transported intact to a recovery site established or authorized by the City.
5. Notwithstanding Section 4, no person in the City shall dispose or permit the disposal of any vehicular air conditioning unit containing chlorofluorocarbons unless the chlorofluorocarbons are removed prior to such disposal.
6. No person in the City shall service or repair or permit the servicing or repair of any air conditioner, air conditioning equipment or system including any vehicular air conditioning system, chiller, refrigerator, freezer, refrigerating or cooling equipment or system, unless such person ensures that any coolant containing chlorofluorocarbons is not vented to the atmosphere during the servicing or repair process.
7. No person in the City shall sell or install any rigid foam material for building insulation that contains chlorofluorocarbons or with respect to which chlorofluorocarbons are used as a blowing agent during the manufacturing process.
8. No person in the City shall manufacture or sell any aerosol container that uses chlorofluorocarbons as a propellant, except aerosol containers of products used for medical purposes.
9. No person in the City shall test or service any fire extinguisher or fire extinguisher system if such test or servicing causes or could cause the release of halons in the atmosphere.
10. No person in the City shall manufacture, distribute or sell any plastic foam material or any other product or material containing chlorofluorocarbons or for which chlorofluorocarbons have been used as a blowing agent during the manufacturing process, for the purpose of packaging, wrapping or containing edible or non-edible products.
11. Every employer in the City where the business activity includes the handling and use of chlorofluorocarbons or halons in furtherance of the business activity, shall
 - (1) within seven months after the passing of this by-law, register a notice with the Medical Officer of Health identifying the quantity, types and use of chlorofluorocarbons and halons in the business activity;
 - (2) within eighteen months after the passing of this by-law, conduct and submit an audit to the Medical Officer of Health which sets out a material balance of the chlorofluorocarbons and halons used in the business activity, and identifies the methods used for recovery and reclamation of the chlorofluorocarbons and halons; and
12. This by-law shall come upon the date of passing, except
 - (1) Section 9, which shall come into force three months after the date of passing;
 - (2) Sections 2, 3, 7, 8 and 10, which shall come into force twelve months after the date of passing; and
 - (3) Sections 4, 5 and 6, which shall come into force eighteen months after the date of passing.
13. Any person who fails or neglects to perform any duty imposed in this by-law or who contravenes any provision of this by-law is guilty of an offence and liable to a penalty of not more than \$2,000.00 exclusive of costs for each offence.

Arthur C. Eggleton
Mayor

Barbara G. Caplan
City Clerk

Council Chamber,
Toronto, April 6, 1989.
(L.S.)

No. 471-89. A By-Law

To amend By-law No. 230-89, respecting
the regulation of chlorofluorocarbons and halons.

(Passed June 29, 1989.)

Whereas the Council of the City passed By-law No. 230-89 on April 6, 1989, respecting the prohibition and regulation of the manufacture, sale, distribution, use and disposal of certain products, material and equipment containing or manufactured with chlorofluorocarbons and halons;

And whereas said By-law contains various provisions which are designated in the by-law to come into force upon the passage of various time periods as set out in the By-law;

And Whereas Council of the City has resolved that it is desirable in the circumstances to amend the By-law to extend the dates on which the various provisions of the By-law shall come into force;

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

1. By-law No. 230-89, being "A By-law to prohibit and regulate the manufacture, sale, distribution, use and disposal of certain products, material and equipment containing or manufactured with chlorofluorocarbons and halons", passed April 6, 1989 is amended as follows:

(1) Section 11 is deleted and the following substituted therefor:

"11. Every employer in the City where the business activity includes the handling and use of chlorofluorocarbons or halons", in furtherance of the business activity, shall

- (1) within seven months after the passing of this by-law, register a notice with the Medical Officer of Health identifying the quantity, types and use of chlorofluorocarbons and halons in the business activity;
- (2) within eighteen months after the passing of this by-law, conduct and submit and audit to the Medical Officer of Health which sets out a material balance of the chlorofluorocarbons and halons used in the business activity, and identifies the methods used for recovery and reclamation of the chlorofluorocarbons and halons; and
- (3) if such business activity is commenced after the eighteen month period referred to in sub-section (2), register the notice required by sub-section (1) and submit the audit required by sub-section (2) to the Medical Officer of Health at the time of commencing operation of the business activity.

(2) Section 12 is deleted and the following substituted therefor:

"12. This by-law shall come into force as follows:

- (1) Sections 1 and 9 shall come into force seven months after the date of passing of the by-law;
- (2) Sections 2, 3, 7, 8 and 10 shall come into force eighteen months after the date of passing of the by-law; and
- (3) Sections 4, 5 and 6 shall come into force twenty-four months after the date of passing of the by-law."

Arthur C. Eggleton
Mayor

Barbara G. Caplan
City Clerk

Council Chamber,
Toronto, June 29, 1989.
(L.S.)

Appendix B

Proposed By-law

The proposed amended by-law would read as follows:

No. By-law

To prohibit and regulate the use recovery and disposal of certain products, material, and equipment containing or manufactured with chlorofluorocarbons and halons.

Whereas the Council of the City is of the opinion that the destruction of the ozone layer of the earth's atmosphere is caused in part by the action of ultra-violet rays on certain synthetic chemicals known as chlorofluorocarbons and halons;

And whereas the depletion of the ozone layer will allow excess ultra-violet rays to reach the earth's surface, which may cause serious irreparable damage to all living tissues;

And whereas such chemicals are found in various manufactured products, material and equipment including such items as certain refrigerators, air-conditioning and cooling systems, and fire extinguishing systems;

Therefore the Council of the Corporation of the City of Toronto enact as follows:

"1. In this By-law,

(a) "City" means the City of Toronto;

(b) "Chlorofluorocarbons" means one or more of the following substances:

Trichlorofluoromethane	(CC13F)	known as CFC 11
Dichlorodifluoromethane	(CC12F2)	known as CFC 12
Trichlorotrifluoroethane	(C2C13F3)	known as CFC 113
Dichlorotetrafluoroethane	(C2F4C12)	known as CFC 114
Chloropentafluoroethane	(C2F5C1)	known as CFC 115

(c) "dispose" means to dispose for the purpose of garbage, refuse, or for destruction, and not for re-use;

(d) "halons" means one or more of the following substances:

difluorobromochloromethane	(CF2BrC1)	known as halon 1211
trifluorobromomethane	(CF3Br)	known as halon 1301
tetrafluorodibromoethane	(C2F4Br2)	known as halon 2402

2. Every person in the City who disposes of any product or equipment that contains chlorofluorocarbons or halons in a form which can be drained or recovered from the product or equipment shall only dispose of such product or equipment.

- (1) by delivering such product or equipment to a recovery site established by the City or authorized by the Council of the City;
- (2) by delivering such items for municipal garbage disposal in accordance with garbage recovery systems established by the City; or
- (3) by ensuring that prior to disposal, the chlorofluorocarbons and halons contained therein are drained and recovered from the product or equipment and thereafter transported intact to a recovery site established or authorized by the City.

3. Notwithstanding Section 4, no person in the City shall dispose or permit the disposal of any vehicular air conditioning unit containing chlorofluorocarbons unless the chlorofluorocarbons are removed and recovered prior to such disposal.

4. No person in the City shall service or repair or permit the servicing or repair of any air conditioner, air conditioning equipment or system including any vehicular air conditioning system, chiller refrigerator, freezer, refrigerating or cooling equipment or system, unless such person ensures that any coolant containing chlorofluorocarbons is not vented to the atmosphere during the servicing or repair process.
5. No person in the City shall test or service any fire extinguisher or fire extinguisher system if such test or servicing causes or could cause the release of halons into the atmosphere.
6. This by-law shall come into force on April 6, 1991.
7. Any person who contravenes any provision of this by-law is guilty of an offence.

Appendix C

Projected Ontario Phase-Out Highlights For Ozone Depleting Substances

- July 1, 1989 - ban CFC aerosols and rigid foam packaging made with CFCs.
- tentative 1991 - establish an infrastructure to collect and recycle CFCs from commercial air conditioners and coolers.
- tentative 1991 - require that Halons be recaptured and recycled when fire extinguishers are taken out of service.
- December 31, 1991 - ban use of CFCs as a solvent.
- December 31, 1992 - require that Halons no longer be vented to the atmosphere during fire extinguisher tests.
- December 31, 1993 - ban rigid foam insulation and flexible furniture foam made with CFCs (Phase-out complete)
- July 1, 1994 - end CFC recycling, and require that these substances be captured and destroyed at a destruction facility to be established by this date.
- July 1, 1998 - ban the use of CFCs in refrigerators, air conditioners and coolers.

Source: Minister Environment Ontario. Ontario Phase-Out of Ozone Depleting Substances. (Factsheet) Toronto. February 1989, with updates from OMOE, 1990.

Appendix D

Projected Prohibited dates by Environment Canada
For Various CFC Use Categories

Use Category	% Canadian Use (1987)	Product Group	Projected Prohibition
Aerosol	9	All	End of 1989 except medical and essential safety products.
Rigid Foams	33	a) Insulating foams - polyurethane - polystyrene - phenolic b) Packaging - food - other	1992-1994 1990-1991 1991-1992 1990 1990-1991
Flexible Foams	8	Car seats Furniture Cushions, etc.	1990-1992
Refrigeration	36	a) New Refrigeration and Air Conditioning b) Existing equipment maintenance	1994-1999 as replacements are available
Solvents	10	electronic metal cleaning dry cleaning	1991-1994 1990-1991 1991-1992
Others	4	hospital sterilants optical coatings	1990-1994

Source: Minister Environment Canada. Canada to Phase-Out CFCs (Press Release) Ottawa. February 20, 1989, with updates from Environment Canada 1990b).

Implementation Schedule for CFC Regulation: Federal, Provincial and the City of Toronto

CITY OF TORONTO BY-LAW NO. 230-89		ONTARIO ENVIRONMENTAL PROTECTION ACT (EPA)		CANADIAN ENVIRONMENTAL PROTECTION ACT (CEPA)	
Section of By-Law	Eff Date(s)	Regulation	Eff Date(s)	Regulation	Eff Date(s)
Database Development					
11. Registration, audit requirement (users and handlers of CFCs)	In effect	Reg 309 (generators and transporters)	In effect	Paragraph 18(1), CEPA (producers, importers, major users)	In effect
Production Controls					
None		None		"Ozone Depleting Substances" Regs: No. 1 -- CFCs, 50% 1986 levels No. 2 -- Halon levels frozen	In effect pending
Manufacturing/Sales Prohibitions					
General manufacturing ban, unless:		No general ban; specific product types covered by specific regs (see below)		As with Province, specific product types covered by specific regs (see below)	
2. -no substitutes available, recovery system available, audit done	06-10-90				
3. -equipment does not leak	06-10-90				
7. Rigid foam insulation ban	06-10-90	Foam insulation regs in development	01-10-90(p) (phase-out by Dec 1993)	Foam insulation regs in development	1991-94 (p)
8. Aerosol ban (except for medical users)	06-10-90	Reg 394/89 prohibits aerosols (with some exceptions, sell-through time)	In effect	"Ozone Depleting Subst." Reg. No. 3: - aerosols except for medical uses - food packaging	Fall '91(p)
10. Foam packaging ban	06-10-90	Reg 395/89 prohibits certain kinds of foam packaging	In effect	- hand-held fire extinguishers - certain important commercial uses	Fall '91(p)
		Flexible furniture from ban	31-12-93(p)	flexible foams	pending 01-01-93
		Prohibit use of CFCs as solvents	31-12-91(p)	Solvents and other uses	1991-1992
					1991-1994

Council Action - October 1 & 2, 1990

During consideration of this Clause, Council also had before it a report (September 27, 1990) from the City Solicitor. (Communication 39 attached)

Council amended this Clause by adding at the end thereof the following:

"It is also recommended that:

1. the City Solicitor, in consultation with Councillor O'Donohue and the Medical Officer of Health, report further on including in the by-law, 'methylchloroform' and 'methyltetrachloride'; and
2. the report (September 27, 1990) from the City Solicitor be adopted."

DRAFT BY-LAW

No. A By-law

Respecting the prohibition and regulation of the use, recovery and disposal of certain products, material, and equipment containing or manufactured with chlorofluorocarbons and halons.

Whereas by amendment and adoption of Clause 31 contained in City of Toronto Executive Committee Report No. 22, it is recommended that By-law No. 230-89 be repealed and replaced, respecting chlorofluorocarbons and halons;

And whereas the Council of the City is of the opinion that the destruction of the ozone layer of the earth's atmosphere is caused in part by the action of ultra-violet rays on certain synthetic chemicals known as chlorofluorocarbons and halons;

And whereas the depletion of the ozone layer will allow excess ultra-violet rays to reach the earth's surface, which may cause serious irreparable damage to all living tissues;

And whereas such chemicals are found in various manufactured products, material and equipment including such items as certain refrigerators, air-conditioning and cooling systems, and fire extinguishing systems;

Therefore the Council of the Corporation of the City of Toronto enact as follows:

"1. In this By-law,

(a) "City" means the City of Toronto;

(b) "Chlorofluorocarbons" means one or more of the following substances:

Trichlorofluoromethane	(CC13F)	known as CFC 11
Dichlorodifluoromethane	(CC12F2)	known as CFC 12
Trichlorotrifluoroethane	(C2C13F3)	known as CFC 113
Dichlorotetrafluoroethane	(C2F4C12)	known as CFC 114
Chloropentafluoroethane	(C2F5C1)	known as CFC 115

(c) "dispose" means to dispose for the purpose of garbage, refuse, or for destruction, and not for re-use;

(d) "halons" means one or more of the following substances:

CC
NP
REF

SEP 26 11 02 1990

39

CITY OF TORONTO
LEGAL DEPARTMENT

Re. Exec. Rpt 22 cl 31

A.M. Gordon

September 27, 1990

To: City Council

Subject: CFC BY-LAW

Origin: Clause 31, City of Toronto Executive Committee Report No. 22
(c06cnc190016:627)

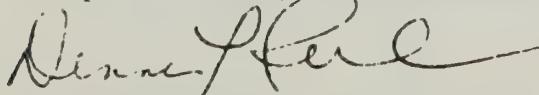
Recommendations:

That Clause 31 of Executive Committee Report No. 22 be amended by deleting Recommendation No. 1 and substituting therefor the following:

"1. That By-law No. 230-89 as amended, be repealed and replaced with the draft by-law attached to the September 27, 1990 report of the City Solicitor, and that such draft by-law be approved and authority be granted for the introduction of the necessary bill in Council to implement the draft by-law, and that City Council approve the establishment by the Medical Officer of Health of temporary personnel positions to implement and enforce the by-law, as described in the September 12, 1990 report from the Medical Officer of Health and City Solicitor."

Comments:

Clause 31 of Executive Committee Report No. 22 contains the September 12, 1990 report of the Medical Officer of Health and City Solicitor respecting amendments to the CFC By-law, being By-law No. 230-89 as amended. The Committee amended and recommended the adoption of the recommendations of the report. I have prepared a draft by-law which repeals By-law No. 230-89 as amended, and replaces it with a new by-law generally in the form of that contained in Appendix B of the September 12, 1990 report. In this fashion, By-law No. 230-89 will not be amended, as recommended in Recommendation No. 1 of the September 12, 1990 report, but will be replaced by a new by-law which will, with the exception of the definition and penalty sections, come into force in April, 1991, as recommended by the Medical Officer of Health.



City Solicitor
AMG/ss
IV

8. By-law No. 230-89, being "A By-law to prohibit and regulate the manufacture, use, distribution, recovery and disposal of certain products, material, and equipment containing or manufactured with chlorofluorocarbons and halons," and By-law No. 471-89, being "A By-law to amend By-Law No. 230-89, respecting the regulation of chlorofluorocarbons and halons", are hereby repealed.

difluorobromochloromethane	(CF ₂ BrCl)	known as halon 1211
trifluorobromomethane	(CF ₃ Br)	known as halon 1301
tetrafluorodibromoethane	(C ₂ F ₄ Br ₂)	known as halon 2402

2. Every person in the City who disposes of any product or equipment that contains chlorofluorocarbons or halons in a form which can be drained or recovered from the product or equipment shall only dispose of such product or equipment.
 - (1) by delivering such product or equipment to a recovery site established by the City or authorized by the Council of the City;
 - (2) by delivering such items for municipal garbage disposal in accordance with garbage recovery systems established by the City; or
 - (3) by ensuring that prior to disposal, the chlorofluorocarbons and halons contained therein are drained and recovered from the product or equipment and thereafter transported intact to a recovery site established or authorized by the City.
3. Notwithstanding Section 2, no person in the City shall dispose or permit the disposal of any vehicular air conditioning unit containing chlorofluorocarbons unless the chlorofluorocarbons are removed and recovered prior to such disposal.
4. No person in the City shall service or repair or permit the servicing or repair of any air conditioner, air conditioning equipment or system including any vehicular air conditioning system, chiller refrigerator, freezer, refrigerating or cooling equipment or system, unless such person ensures that any coolant containing chlorofluorocarbons is not vented to the atmosphere during the servicing or repair process.
5. No person in the City shall test or service any fire extinguisher or fire extinguisher system if such test or servicing causes or could cause the release of halons into the atmosphere.
6. This by-law shall come into force upon the date of passing, except Sections 2, 3, 4, and 5, which shall come into force on April 6, 1991.
7. Any person who contravenes any provision of Sections 2, 3, 4, or 5 of this By-law is guilty of an offence.

NOV - 5 1990

CITY OF HAMILTON
- RECOMMENDATION -

3a

DATE: 1990 November 1

REPORT TO: Ms. T. Agnello, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: RENTAL OF SNOW REMOVAL EQUIPMENT AND
LABOUR, PUBLIC WORKS DEPARTMENT

RECOMMENDATION:

That a purchase order be issued to Cardeen Construction Limited, Stoney Creek, to provide labour and equipment for snow removal during the 1990-1991 winter season, in accordance with Vendor's quotation, and that this expenditure be finance from various accounts, as follows:

One Rubber Tire Backhoe/Loader	\$ 88 per hour
One Cat Bulldozer	120 per hour

Plus applicable taxes

T. Bradley
T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

This is equipment required in addition to that previously reported to Council. All bids are accepted on the basis of the lowest bidder's equipment being used first and then the subsequent bidders contacted as required.

c.c. City Solicitor's Department

3b.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 9

REPORT TO: Ms. T. Agnello, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: CONCRETE CRUSHING BERNIE COURT YARD,
PUBLIC WORKS DEPARTMENT

RECOMMENDATION:

That a purchase order be issued to Northland Bitulithic Limited, Downsview, in the amount of \$35 680, being in only quotation received, for concrete crushing at the Bernie Court Yard for the Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from General Roadway Maintenance Account No. 56398 60168.

NOTE: As the stockpiled concrete must be eliminated to allow for snow dump, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

Nine suppliers were requested to bid. One declined and seven did not respond.

4a.

CITY OF HAMILTON

- RECOMMENDATION -

NOV - 8 1990

DATE: 1990 November 5

REPORT TO: Miss Tina Agnello, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

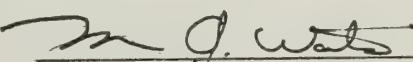
SUBJECT: **Expropriation of Land required for
the extension of Berkindale Avenue**

RECOMMENDATION:

a) That the Director of Property be authorized to negotiate with the following owners for acquisition of a portion of their lands required for the extension of Berkindale Avenue in order to implement the approved Riverdale East Neighbourhood Plan. The necessary expenditures are to be charged to Account No. CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands).

Michel Alcid Garon - Part of 891 Queenston Road, Stoney Creek
Debra Ann Garon (which part is in the City of Hamilton)

b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before February 23, 1991, the City Solicitor be authorized and directed to initiate expropriation proceedings, and, the Director of Property be authorized to retain an independent fee appraiser to prepare and appraisal of market value. The costs are to be charged to Account No. CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands).


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost to acquire will be recovered through a one (1) foot Reserve

BACKGROUND:

The owners of the proposed subdivision, Marz Homes, have been unsuccessful in their attempts to acquire the required lands and they have requested municipal involvement so the development of single family lots can proceed in an orderly manner and not be unduly delayed.

Attach.

c.c. Mrs. P. Noé Johnson, City Solicitor

Mr. E. C. Matthews, Treasurer

Mr. R. Douglas, Manager of Field Surveys

Mr. T. Gill, Acting Commissioner of Engineering
Attention: Mr. K. Brenner

(4509)

4b.

NOV 12 1990

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1990 November 9

REPORT TO: Miss Tina Agnello, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Red Hill Creek Flood Plain - Storm Water Control
Agreement By Owner to Accept Compensation
- 265 Charlotte Street - Susan Medeiros

RECOMMENDATION:

- a) That the "Agreement by Owner to Accept Compensation", executed by Susan Medeiros on November 7, 1990, whereby the owner agreed to accept the amount of \$125,000.00 as full and final settlement of compensation for the City's expropriation of the lands known as 265 Charlotte Street, be approved and completed.
- b) That the transaction be financed from Account No. CH 5X303 00102 (Reserve for Property Purchase).
- c) That the City Solicitor be authorized and directed to complete this transaction.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

On August 8, 1961 the City passed by-law 9430 which expropriated a large area of land in the Red Hill Creek drainage basin for storm water control to avoid downstream flood damage.

Under legislation of that period, the Expropriations Act allowed the City to survey the land and register a plan on title giving notice of the intent to expropriate; however, the City did not actually receive title to the land until it took possession or paid compensation to the owner.

9 November 1990

Transport and Environment Committee

Page 2

As no compensation was paid to the owner, and as no physical possession was taken by the City (since the subject parcel was vacant and required for passive use), the subject property has remained in private ownership. Over the years the property has changed hands from the original owner at the time of the notice of expropriation, Ruby Shipton, to the present owner, Susan Medeiros, who purchased the property this past Spring.

It was during the course of searching title for the Medeiros purchase that her solicitor found the expropriation by-law and requested that the City remove it from the title of her lands. As the expropriation by-law was approved by Council so many years previously, the Regional Engineering Department was asked to investigate the current need for the lands. We received final confirmation last month from the Engineering Department that the lands are indeed still needed for flood and storm water run-off control and then proceeded to negotiate a settlement of compensation with Ms. Medeiros' solicitor.

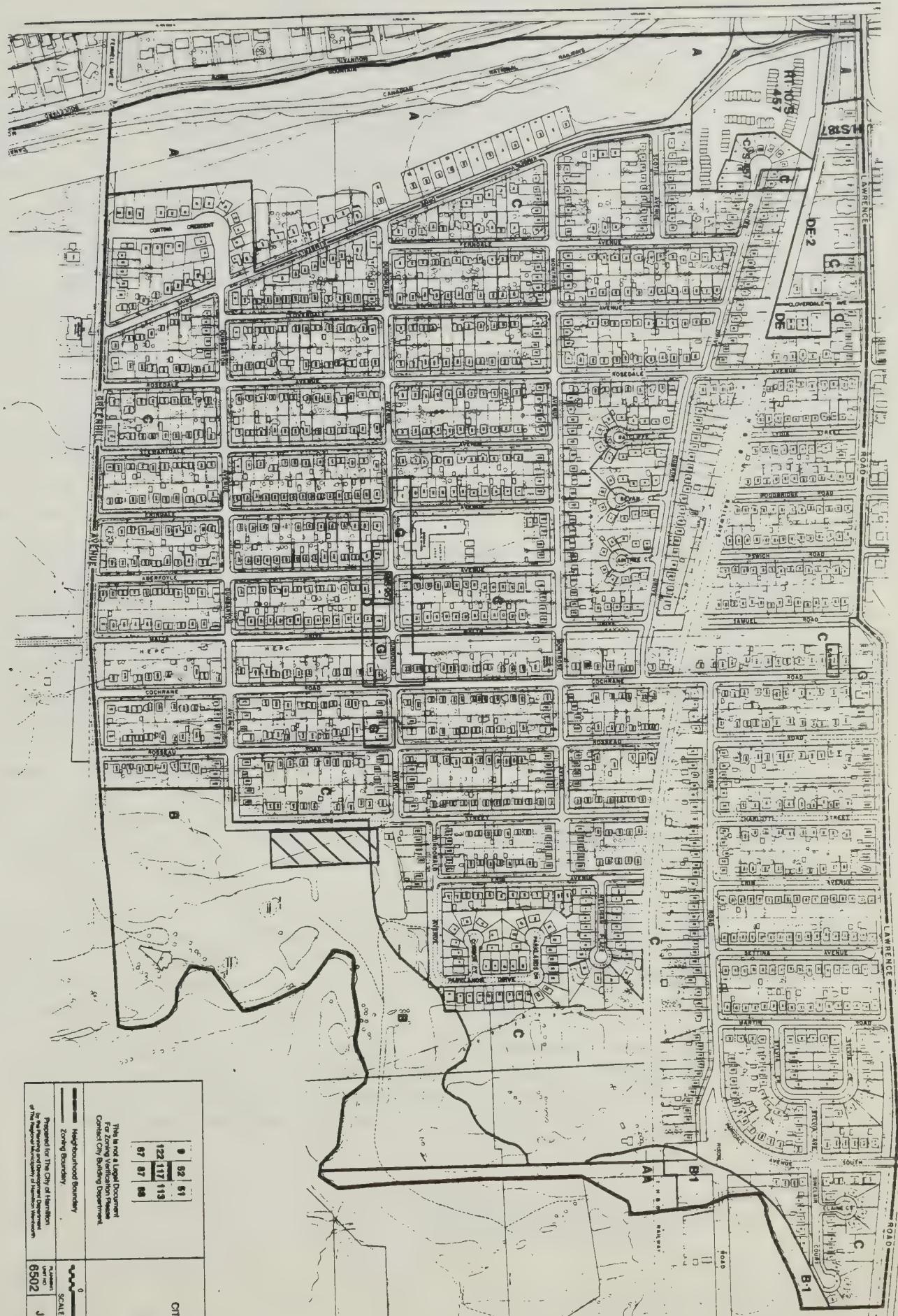
The subject lands comprise 1.42 acres with a frontage of 472.33 feet along the easterly limit of Charlotte Street; however, with the exception of a small triangular area of about 6,000 square feet at the north-west corner, most of the parcel is low-lying valley land about 20 feet below street grade. Although the lands are currently zoned "B" and "C" (Urban Protected Residential), its location within the Red Hill Creek valley cause it to fall under the Hamilton Region Conservation Authority jurisdiction.

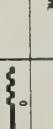
Under the Authority's current regulations, only that portion of the tableland in excess of 25 feet from the top of the bank can be used for development. An application was made to the Hamilton Region Conservation Authority in September 1990 for construction of a large single family house in the regulated area, but development was restricted to the tableland portion of the lot. With minor variances to the zoning by-law for front yard setbacks, a modest single family dwelling can be legally constructed in the unregulated portion of the lot. On this premise we are recommending an all-inclusive settlement of \$125,000.00 as full payment of market value, legal fees, and all other claims, costs, and expenses to which the owner is entitled under the Expropriations Act. Note: The property was purchased by Susan Medeiros from Joan McMillan under Instrument Number 45646 for a reported purchase price of \$125,000.00 on April 30, 1990.

Attach.

c.c. - Mrs. P. Noé Johnson, City Solicitor
Attention: Ms. L. Lawrence
- Mr. E. C. Matthews, Treasurer
- Mr. R. Douglas, Manager of Field Surveys

(4506)



CITY OF HAMILTON		ROSEDALE	
ZONING			
<p style="text-align: center;">This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p>			
<p style="text-align: center;">— Neighborhood Boundary — Zoning Boundary</p>			
<p style="text-align: center;">Prepared for The City of Hamilton at the request of the Planning and Zoning Department of The City of Hamilton, Ontario, Canada</p>		<p style="text-align: center;">6502 JANUARY 1990 Page No. 117</p>	

NOV 12 1990

CITY OF HAMILTON
- RECOMMENDATION -

4C.

DATE: 1990 November 9

REPORT TO: Miss Tina Agnello, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase (Easement) - Union Gas Limited,
City Land - South Side of Stone Church Road East

RECOMMENDATION:

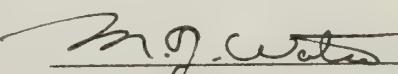
a) That an Offer to Purchase (Easement) Agreement executed by officials of Union Gas Limited on October 2, 1990 and scheduled for closing on January 8, 1991, for the installation of an NPS 8 Pipe along the southerly limit of Stone Church Road East, east of Upper James Street (236.44 feet x 16.46 feet), be approved and completed. The purchase price of \$1,001.00 is to be credited as follows: \$1.00 to Account No. 4X999 00107 (Service through unsubdivided lands) and the remaining \$1,000.00 to Account No. CH 59050 30001 (Outside Recoveries), in accordance with the attached Schedule "A". The deposit cheque of \$1.00 is being held by the City Treasurer pending approval of this transaction.

Note: The property is composed of Parts 9, 10 and 11 on Plan 62R-8858. Subject parcel having a frontage of 72.074 metres (236.44 feet), more or less, by a depth of 5.184 metres (16.46 feet), more or less.

b) The Offer to Purchase (Easement) is subject to the following:

The City reserves the right to grant further easements through Condition 14.

"It is understood and agreed that the Transferor shall reserve unto itself, its heirs, successors, and assigns the irrevocable right to grant such further and other easements as from time to time the Transferor sees fit."


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

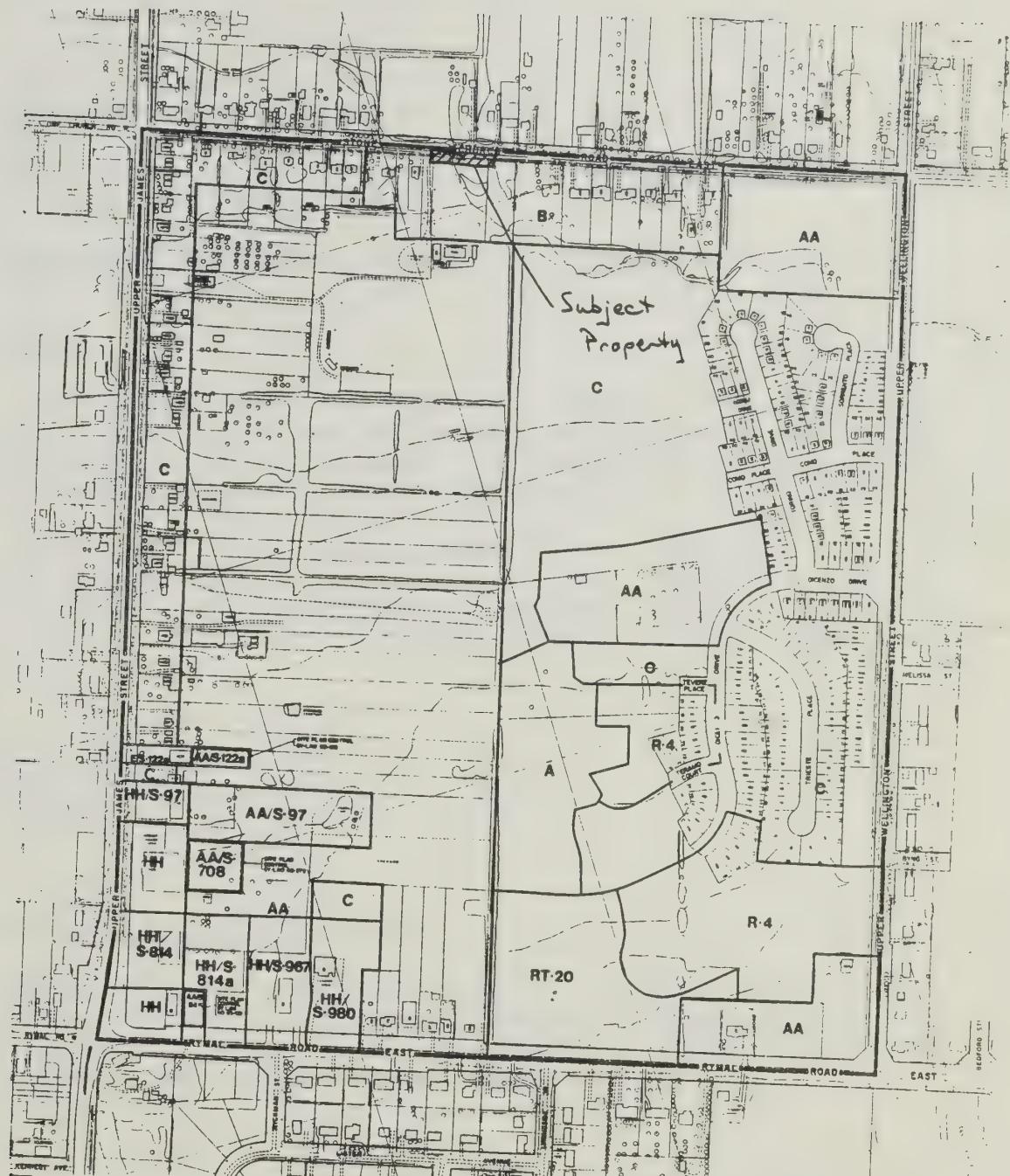
BACKGROUND:

This request for an easement by Union Gas Limited is being made at this time to reinforce the existing system's integrity and make way for future expansion in the area. Eventually, the subject parcels of land are to be incorporated into the road allowance of Stone Church Road East through the proposed widening of said street.

Attach.

c.c. - Mrs. P. Noé Johnson, City Solicitor
Attention: Ms. L. Lawrence
- Mr. E. C. Matthews, Treasurer
- Mr. R. Douglas, Manager of Field Surveys
- Mr. T. Gill, Acting Commissioner of Engineering
Attention: Mr. D. Onishi

(4508)



<table border="1"> <tr><td>86</td><td>82</td><td>33</td></tr> <tr><td>101</td><td>119</td><td>8</td></tr> <tr><td>63</td><td>8</td><td>24</td></tr> </table>	86	82	33	101	119	8	63	8	24	CITY OF HAMILTON RYCKMANS ZONING	
86	82	33									
101	119	8									
63	8	24									
<small>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</small>											
<small>Neighbourhood Boundary Zoning Boundary</small>	<small>0 100m 50m</small>	<small>SCALE PLANNING UNIT NO. 7508 JUNE 1986</small>									
<small>Prepared for The City of Hamilton by the Planning and Zoning Commission of the Regional Municipality of Hamilton-Wentworth</small>											

NOV 13 1990

5

FOR ACTION

REPORT TO: Ms. T. Agnello, Secretary
Transport and Environment Committee

FROM: J. G. Pavelka, P. Eng.
Director of Public Works

OUR FILE: 90-134

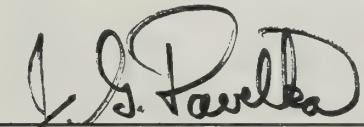
SUBJECT: EQUIPMENT AUCTION - 1990

DATE: Nov 13/90

RECOMMENDATION:

(a) That the City of Hamilton should continue with auctioning its depreciated and obsolete vehicles and equipment because significantly more revenue is realized through the auction than through trading in the equipment, and;

(b) That the other organizations participating in the auction should share in the expenses of the auction (auction fees, advertising and operator's labour) based on their proportion of the revenue, over the total revenue from the auction.



J. G. PAVELKA, P. ENG.
Director of Public Works

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be a cost savings to the City of Hamilton based on the other organizations cost sharing in the expenses of the auction. This cost sharing will be based on their proportion of the revenue over the total revenue from the auction.

BACKGROUND:

The 1990 equipment auction for the disposal of vehicles and equipment recently replaced or declared obsolete, was held at the B. A. Court Yard on Saturday, September 22, 1990.

This year the City of Hamilton grossed \$112,760.00 from the sale of depreciated and obsolete equipment as outlined on the attached table.

After paying for expenses, auction fees and advertising fees, the City of Hamilton netted \$100,237.63 for the sale of its equipment and vehicles.

Gross revenue from auction		\$112,805.00
Less - auction fees	7,505.50	
- advertising	<u>5,061.87</u>	<u>12,567.37</u>
NET REVENUE		\$100,237.63

This net revenue of \$100,237.63 is automatically returned to the reserve for depreciated equipment.

Although the auction cost the City of Hamilton approximately \$12,567.27 in auction fees and advertising expenses, the Corporation benefitted by auctioning equipment off for \$112,760.00 rather than accepting "trade-in" value of \$44,955.00, a net increase of \$67,850.00.

Although this is only the second year that the Corporation held its auction, other organizations have been quick to have their depreciated and obsolete equipment included in the auction through the Purchasing Department.

This year the Region of Hamilton-Wentworth, the Hamilton Conservation Authority and the Town of Ancaster had equipment and vehicles auctioned off the \$51,192.88.

Recognizing that the City of Hamilton is significantly increasing its revenue through auctioning of vehicles and equipment, as opposed to trading it in, the auction should continue.

Also, realizing that other organizations are taking advantage of the arrangements to increase their revenues through the auction, these same organizations should be asked to share in the expenses of the auction - auction fees, advertising and operators labour, based on their proportion of the revenue over the total revenue from the auction.

cc: L. Sage	Chief Administrative Officer
E. Matthews	Treasurer
T. Bradley	Manager of Purchasing
G. Kerr	Manager of Fleet Services

ITEM	TRADE-IN AMOUNT OFFERED	AUCTION PRICE
A. Public Works Dept Equipment		
9407 1960 Adams Grader		4,100.00
9646 1975 Int Vacu-Sweep		5,900.00
9115 1983 Ford Jaeger Garbage Packer		4,800.00
9306 1982 Ford	250.00	1,500.00
9086 1982 Pontiac Acadian	330.00	800.00
9084 1983 Chev Impala	2,600.00	2,900.00
9312 1981 Dodge Pickup	350.00	1,000.00
9311 1981 Dodge Pickup	500.00	1,650.00
9028 1982 Ford Pickup	500.00	1,550.00
9313 1982 Ford Pickup	750.00	2,000.00
9267 1977 Int Dump Truck	600.00	1,500.00
9027 1982 Ford Pickup	500.00	1,450.00
9080 1981 Dodge Pickup	350.00	1,050.00
9273 1979 Int Dmp Frt Plow	2,600.00	3,850.00
9621 1981 Ford Hi Ranger	8,500.00	12,300.00
9456 1979 Int Cement Mixer	2,500.00	4,000.00
9235 1977 Int Platfrm Dump	750.00	2,000.00
9503 1982 M/F Tractor/Loader	2,750.00	5,100.00
9492 1975 Ford Tractor/Loader	1,700.00	2,625.00
9507 1984 Ford Tractor	2,375.00	3,900.00
9672 1979 Int Dmp Plw/Wing	3,500.00	7,000.00
9078 1980 Ford Pickup	250.00	1,050.00
9516 1975 Ford Tractor/Loader	2,500.00	3,750.00
9469 1975 Ford Tractor	2,600.00	3,600.00
9494 1975 Ford	2,000.00	2,750.00
	<hr/>	<hr/>
	\$38,755.00	82,125.00

Lawnmowers	Vendors did
Weedeaters	<u>not</u> want on
Chainsaws	trades
Obsolete Equipment	21,435.00

\$38,755.00 103,560.00

B. City Garage Equipment

1986	Chev Cavalier		
1986	Chev Cavalier		
1986	Plymouth Reliant	6,200.00	9,200.00
		<hr/>	<hr/>
		\$44,955.00	112,760.00

C. Equipment from;

Hamilton Fire Dept	
Region of Hamilton-	
Wentworth	51,192.38
Hamilton Conservation	
Authority	
Town of Ancaster	
	<hr/>
	\$44,955.00
	\$163,952.38

NOV 12 1990

6a

FOR ACTION

REPORT TO: MS. T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: October 22, 1990
COMM FILE: 3-11.9.3
DEPT FILE: T103-03(157)

SUBJECT:

Proposed Road Allowance Closure:
Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly

RECOMMENDATIONS:

A. Recinding of Judge's Order

That Section 47 of the 13th report of the Transport and Environment Committee adopted by City Council on July 31, 1984, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order closing Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly, be recinded.

B. Closure by By-Law

- i) That the Commissioner of Engineering be directed to prepare a By-Law for the stopping up, closing and sale of Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly.
- ii) That the Commissioner of Engineering be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980.
- iii) That the Director of Property be directed to proceed with the disposition of the said lands.
- iv) That the Commissioner of Engineering register a reference plan under the Registry Act, to delineate the manner in which the closed road allowance is to be distributed to the abutting owner.

Cont'd ...

Proposed Road Allowance Closure:

Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly

Cont'd ...

- v) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act: and,
- vi) That the City Solicitor make application to the Ministry of Housing under Section 298(11) of the Municipal Act for approval of the By-law.

Ted Gill

E. M. Gill, P.Eng.
Acting Commissioner of Engineering

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On July 31, 1984, staff recommended that the closure, Melissa Street be approved by Judge's Order. This recommendation was approved by your committee and subsequently by City Council on July 31, 1984.

The City Solicitor's Office has recently informed us however that a second title search has indicated that a Barton Township By-law had been registered both against a 1' reserve and against the whole of Melissa Street, laying out the street as a public highway.

This dedication and deed to the City, together with the assumption of the street for public use by the Township of Barton By-Law has the effect of taking away the jurisdiction of the court under Section 82 of the Registry Act to close the street.

Cont'd ...

-Page 3-
October 22, 1990

Proposed Road Allowance Closure:

Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly

Cont'd ...

The application for closure was made by an abutting property owner, and notice of closure was circularized to the area residents with the following results:

Total Circularized 11

In Favour 2 Opposed 0 No Response 9

All affected municipal departments and utility companies were circularized and no objections were received by this Department.

Whereas this Department received an application to close the unopened road allowance from an abutting property owner, and since no objections had been received to this request, and as the road allowance was no longer required for street purposes, our Department recommended in favour of the applicant's request.

JKC:ccc

cc: R. Sabo, City Solicitor's Office
cc: Alderman J. Gallagher
cc: Alderman H. Merling

D/S
62C

WELLINGTON

PPER

MELISSA ST.

1589

1593

1609

1615

1629

1635

1641

C

66'

200'

SUBJECT
STREET

Scale
1" = 100'

NOV-2 1990

6b.

FOR ACTION

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E.M. GILL, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: 90.10.30
COMM FILE: 3-11-7
DEPT FILE: T103-37

SUBJECT:

Banner Display Application
Monday October 19, 1992 to Monday October 26, 1992

RECOMMENDATION

That the Hamilton and District Dental Hygiene Association be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday October 19, 1992 to Monday October 26, 1992, with the following message:

NATIONAL DENTAL HYGIENE WEEK

E.M. Gill

E.M. Gill, P. Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS

If the application is approved, an installation fee of \$215.00 payable to the City of Hamilton, c/o Public Works Department, is required.

BACKGROUND

We have received an application from the Hamilton and District Dental Hygiene Association, 303 Delaware Avenue, Burlington, Ontario, requesting permission to display a promotional banner across Main Street West, in front of City Hall. The policy guidelines and conditions as approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, will apply to this application. This application is being presented to your Committee because this organization has never erected a banner before, and Council direction is that new applicants be reviewed by Council the first time through the process.

JKC:rbo

c.c. H. Reinhold, Department of Public Works

FOR ACTION

6c

REPORT TO: MS. T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING

NOV - 9 1990

DATE: October 30, 1990
COMM FILE: 3-11.5
DEPT FILE: T103-50(861)

SUBJECT:

Inadvertent Encroachment Agreement
438 Dundurn Street South

RECOMMENDATION:

- a) That the authorization granted by City Council on March 27, 1990 in adopting Item #6 of the 5th Report of the Transport and Environment Committee be rescinded.
- b) That the application of Rouben Gharabegian, owner of 438 Dundurn Street South to retain the inadvertent encroachment consisting of a balcony measuring 3.2' x 4.5', and a portion of the building measuring 0.9' x 46.8' on the road allowance of Glenside Avenue be approved provided:
 - i) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - ii) That a first year fee of \$125.00, and subsequent annual fee of \$20.00 be set for this privilege.
 - iii) That the Mayor and City Clerk, be authorized to sign and execute all necessary documents to implement this agreement.

E. M. Gill

E. M. Gill, P.Eng.
Acting Commissioner of Engineering

Cont'd ...

-Page 2-
October 30, 1990

Inadvertent Encroachment Agreement
438 Dundurn Street South

Cont'd ...

FINANCIAL IMPLICATIONS:

See above "Recommendation".

BACKGROUND:

The previous approval of March 27, 1990 did not include a portion of the building that is encroaching on Glenside Avenue. Therefore, it is appropriate to rescind the permission granted on March 27, 1990, for the encroachment of the balcony and to enter into a new agreement to permit the encroachments of the balcony and a portion of the building.

The existing roadway encumbrances may be permitted subject to the normal requirements contained in the Standard Encroachment Agreement.

The City's policy is that if an existing or a proposed non-building encroachment does not impede the functions within the road allowance, then the encroachment may be approved by Council, subject to an agreement and an annual fee.

We have reviewed this application and find no objection. The City has allowed this type of encroachment in the past.

JKC:ccc

cc: S. Gabruss, City Solicitor's Department

6d.

NOV-9/390

FOR ACTION

REPORT TO: MS. T. AGNELLO, SECRETARY
TRANSPORTATION AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: October 30, 1990
COMM FILE:
DEPT FILE: T103-28

SUBJECT:

Revised Wheelchair Ramp Standard

RECOMMENDATION:

That the revised Wheelchair Ramp Standard Drawing RHS 312 be adopted as the standard wheelchair ramp design on City Projects.

Ted Gill

E. M. Gill, P. Eng.
Acting Commissioner of Engineering

FINANCIAL CONSIDERATION:

N/A

BACKGROUND:

The Curb Ramping Sub-Committee under the direction and approval of the Regional Advisory Committee for the Physically Disabled, were given the task of developing a set of standards which, when applied, would provide easy, safe access to all sidewalks within the Region.

The wheelchair ramp standard addresses access needs for the disabled as well as non-disabled persons. Attached is a curb ramping summary as prepared by the Regional Advisory Committee for the Physically Disabled.

-Page 2 -
October 30, 1990

Revised Wheelchair Ramp Standard

Cont'd

The sub-committee co-ordinated with area municipalities as well as disabled groups in developing a standard which would meet all criteria requirements as outlined by the committee.

The Department of Engineering constructed several trial designs on Main Street West this summer, including the final selected design. It is this Department's opinion that the submitted standard best meets the needs of the disabled, while not severely hindering the non-disabled, and meets the City's objectives of a financially affordable solution.

AB:nq
attach.

persons to travel with, rather than against, pedestrian traffic. This means, for example, that wherever geography permits, two ramps, one for each road crossing, are preferable to one "wrap-around" at a corner.

In solving the problem of safe access for persons with mobility disabilities, the Sub-Committee has paid particular attention to the concerns of the visually impaired and the blind. Specifically, a tactile application at all ramps, enables blind and visually impaired persons to differentiate between roadway and sidewalk and orients the person to travel in a straight line from sidewalk to sidewalk.

A number of unresolved issues, which fall outside of the sphere of curb ramping but which nonetheless affect accessibility for disabled persons, will be further studied and reported on by the Sub-Committee. These include: mountable curbs, provision of sidewalks, and sidewalk mobility guidelines for the blind and visually impaired.

Benefits

Well designed and placed curb ramps benefit the entire community. Safer, wider ramps add to the general comfort level of all citizens. Curb ramps are of particular benefit to parents with small children, persons who have agility difficulties, and, of course, disabled persons.

The increasing emphasis on enabling people to remain in their communities as active, productive citizens and the more widespread access to mobility devices necessitate promoting accessibility to services, housing, recreation, transportation, education and employment, the goals of National Access Awareness Week. These standards, if adopted throughout the Region, will provide for continuity across as well as within communities.

Seniors walk more than any other age group, both for health and recreational purposes. This group is the fastest growing segment of the population, and one which will be increasingly supported to remain in the community.

The curb ramp standards provide for equal access to the community for disabled as well as non-disabled persons.

Curb Ramping - A Summary

June 12, 1990

Prepared by: The Regional Advisory Committee for the Physically Disabled

Background

During the 1988-89 term of the Regional Advisory Committee for the Physically Disabled, concerns were repeatedly raised about the use of mobility devices (scooters and wheelchairs) by disabled persons and seniors on streets in the Region. To begin to address these issues, the Regional Advisory Committee hosted a community meeting in August 1989 to discuss, with users of mobility devices, their concerns.

At the meeting, one of the main concerns raised was the accessibility of sidewalks to users of mobility devices. Where curb ramps do not exist, exist only on some and not all corners at an intersection, and where curb ramp design presents a hazard to users, disabled persons and senior citizens find no alternative but to travel on roadways, frequently using driveways to gain access to sidewalks. This situation is extremely dangerous, both to users of mobility devices and to drivers.

Out of the meeting, a recommendation was forwarded to the Regional Advisory Committee to form a Curb Ramping Sub-Committee. The Sub-Committee has worked to develop a set of standards which, when applied, enable safe access to sidewalks and to suggest a plan for upgrading (retro-fitting) curb ramps within the Region. The plan, which will take two years to complete, will focus on developing those pedestrian pathways which link disabled persons and senior citizens with health, social and other services, shopping, recreation, employment, education and transportation.

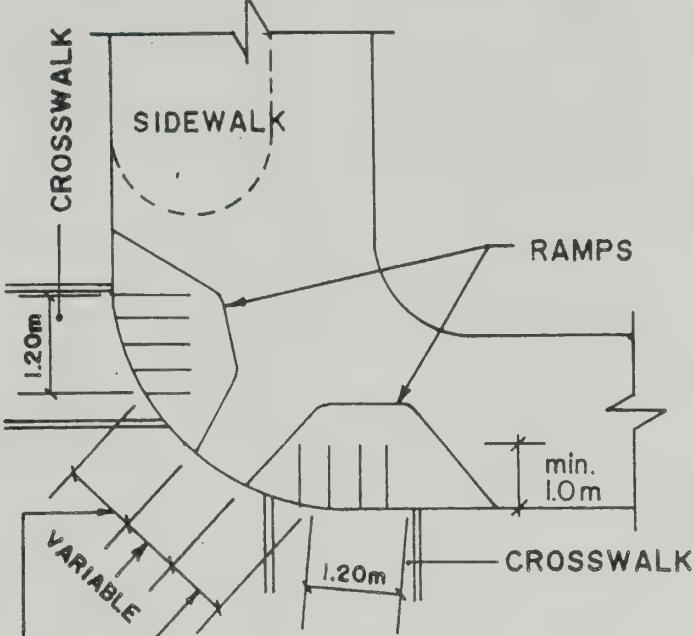
Curb ramping falls primarily under the jurisdiction of the municipality, therefore, representatives from each of the area municipalities were invited to join the Sub-Committee, together with disabled persons, seniors and technical staff. The curb ramp design standards were also circulated to staff in each of the municipalities for their input.

Summary Standards

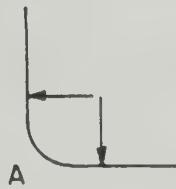
The Sub-Committee has worked from the principle that all citizens, regardless of their physical ability, should be able to access the community in a safe manner. In this instance, access is enabled through the application of barrier free design principles to sidewalks.

It is important, for ease and safety of travel, for disabled

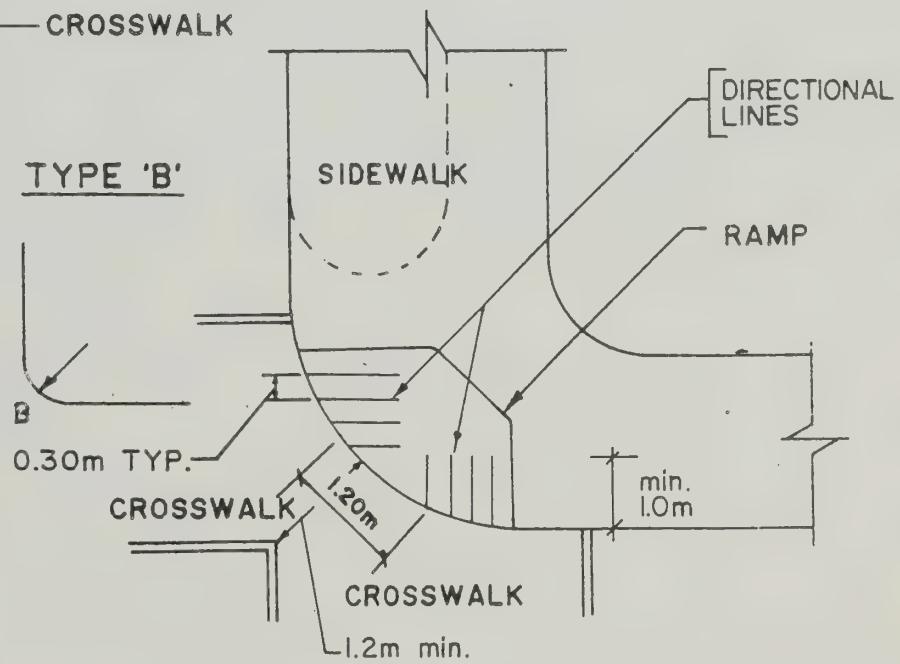
NOTE
SEE RHS-310 FOR DETAILS
OF WHEELCHAIR RAMPS.



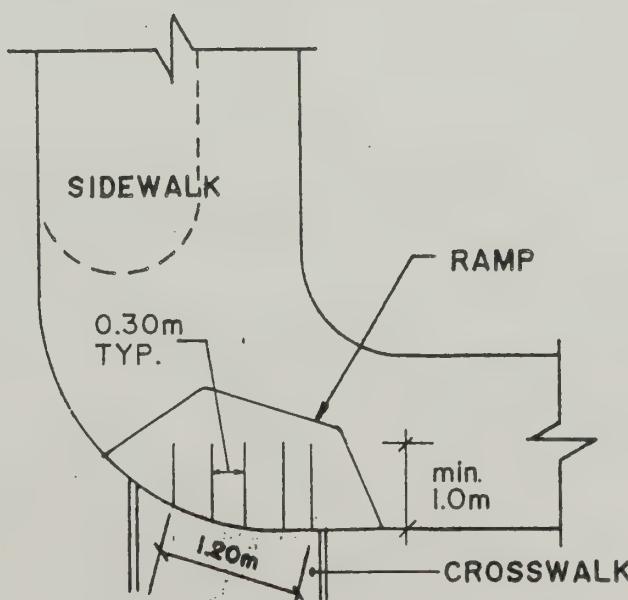
TYPE 'A'



TYPE 'B'



TYPE 'C'



NOTE: DIRECTIONAL LINES
(MADE WITH EDGING
TOOL HAVING A
15mm RADIUS) TO
BE PARALLEL TO
CROSSWALK OR
PEDESTRIAN PATH

RAMP SLOPES
1:12 MAX. TO
1:20 MIN.

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
DEPARTMENT OF ENGINEERING

DIRECTOR

REVISION

WHEELCHAIR RAMP LOCATIONS

DATE

APR. 2, 1990

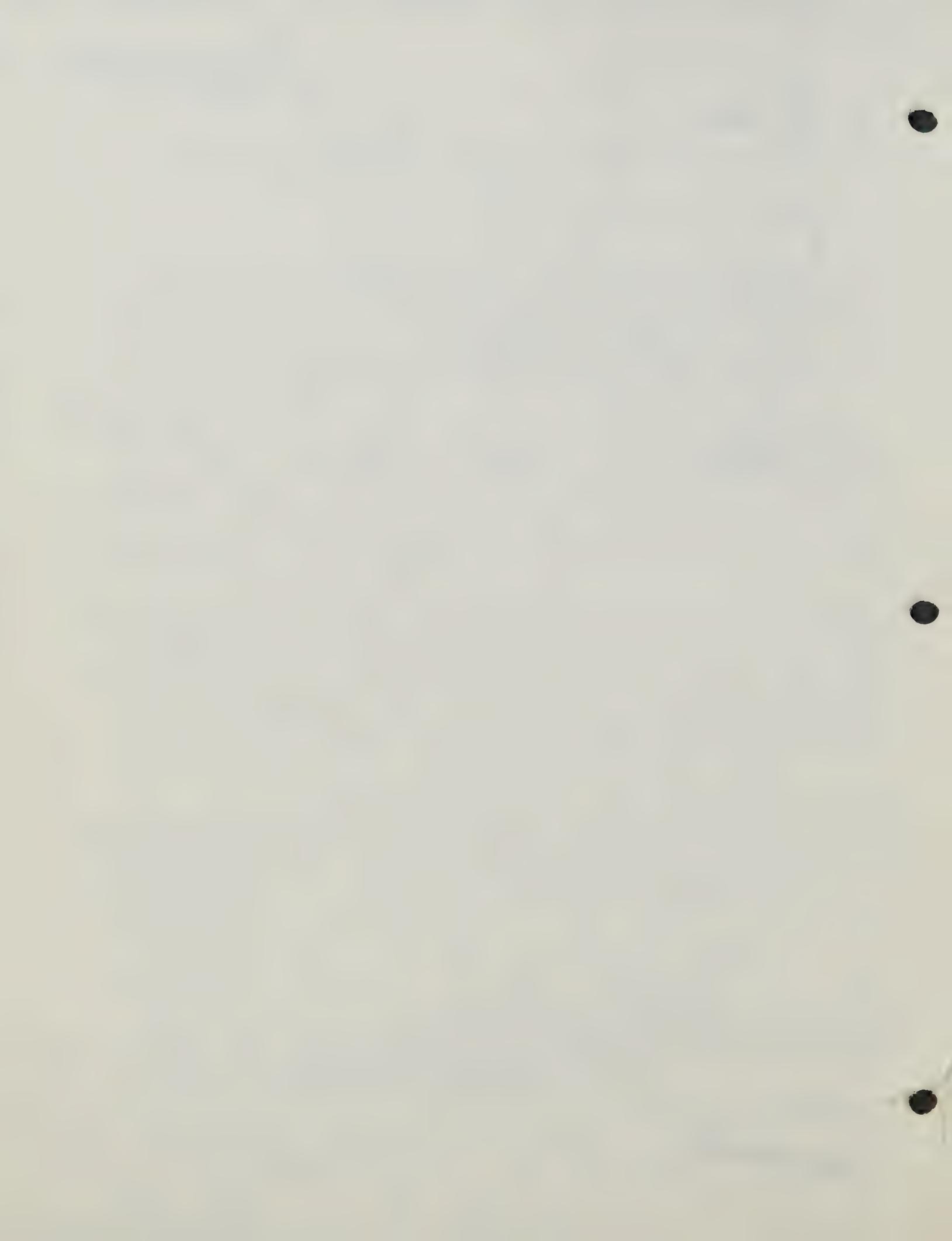
SCALE

N.T.S.

APPROVED

Ted Gill

COMMISSIONER OF ENGINEERING



NOV 12 1990

6e

F O R A C T I O N

REPORT TO: MS. T. AGNELLO, SECRETARY
TRANSPORTATION AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: November 7, 1990
COMM FILE:
DEPT FILE: 800-91

SUBJECT: Road and Sidewalk Capital Reconstruction Programme

RECOMMENDATION:

- a) That a proposed widening from 7.3 metres to 8.5 metres of Rodgers Road from King Street to Central Avenue, Balmoral Avenue from Main Street to King Street and Binkley Road from Main Street West to Sanders Boulevard be advertised under Section 301 of the Municipal Act and the necessary alteration By-law be prepared by the City Solicitor and the City Clerk;
- b) That the proposed 1991 Road and Sidewalk Capital Reconstruction Programme in the amount of \$9,400,000 be received;
- c) That the Committee request the approval of the Finance and Administration Committee to spend up to \$4,000,000 of the proposed \$9,400,000 1991 Road and Sidewalk Capital Reconstruction Programme to allow for tendering and construction to occur prior to the final budget approval;
- d) That the Commissioner of Engineering be authorized to undertake the works on behalf of the City of Hamilton once all necessary approvals have been received.

Ted Gill
E. M. Gill, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

Cont'd...

-Page 2-
November 7, 1990

Road and Sidewalk Capital Reconstruction Program

Cont'd

FINANCIAL IMPLICATIONS:

See above "Recommendations".

BACKGROUND:

The draft 1991-1995 Capital Budget makes a provision in the amount of \$9,400,000 for the reconstruction of roads and sidewalks in the City of Hamilton in 1991. The estimated subsidy from the Ministry of Transportation is \$3,008,000 and the net cost for the City is estimated at \$6,392,000.

The proposed programme for 1991 is divided into the following sections:

- 1) Reconstruction of roads and abutting sidewalks
- 2) Reshaping surface treated roads
- 3) Reconstruction of sidewalks only
- 4) Supplementary list.

The projects in the Programme are reviewed by the Engineering, Traffic, Public Works, Planning and Development, Transportation (H.S.R.), and Community Development Departments and the utility companies. All the necessary work on the underground and overhead services will be undertaken prior to or at the time of the road reconstruction.

The road widening policy, as adopted by Council on January 12, 1982, is to widen pavements to provide a minimum width of 8.5m within the road allowance. The widening of sections of Binkley Road, Balmoral Avenue, Haddon Avenue, Ivon Avenue, Normanhurst Avenue and Rodgers Road could be considered. Each of these roadways has been reviewed by Engineering and City of Hamilton Forestry Section staff to determine the impact widening would have on the natural environment. Generally, the trees in close proximity to the road allowance would suffer root damage during construction, resulting in the weakening of the tree and a potential safety hazard. Staff's on-site findings are as follows:

1. Balmoral Avenue - Main to King
 - numerous large, mature trees of various varieties on the east side of Balmoral Avenue may be affected
 - west side of roadway is asphalt parking area with the exception of 1 large, silver maple tree which would be affected if widening occurred on one side only.

Staff recommends a widening from 7.3m to 8.5m, with all widening to occur on the west side of Balmoral Avenue.

Cont'd..

-Page 3-
November 7, 1990

Road and Sidewalk Capital Reconstruction Program

Cont'd

2. Normanhurst Avenue - Britannia to Dunsmure
 - numerous large, mature Silver and Sugar Maples may be affected
 - several small, medium sized trees affected
 - 1 large, mature, endangered elm tree would be removedBecause of the impacts, staff do not recommend a widening.
3. Rodgers Road - King to Central
 - Central to Monterey - no trees affected
 - Monterey to King - 4 Norway Maples affected and 2 evergreens on private property which could be affectedStaff recommend advertising a widening from 7.3m to 8.5m.
4. Haddon Avenue - Main to Sterling
 - Main to Arnold - 2 mature, endangered elm trees and 3 mature maples may be affected.
 - Arnold to Sterling - 9 various, mature trees would require removal including 1 medium sized, endangered elm tree.Because of the impacts, staff do not recommend a widening of Haddon Avenue.
5. Binkley Road - Main to Sanders
 - One 12' dia. sugar maple and one 6" dia. locust tree would require removal.Staff recommend advertising a widening from 7.3m to 8.5m.
6. Ivon Avenue - Melvin to Barton
 - 4 varied large, mature trees and 2 smaller trees could be affected.Staff do not recommend a widening due to the impact on adjacent trees.

All streets requiring reconstruction in the program have been identified in the 1990 Road Needs study as "now deficient" or requiring construction in the next 1-5 years, as per the criteria established by the Ministry of Transportation of Ontario. Those roads requiring construction in the 1-5 year range will be undertaken in conjunction with sewer work, as higher priority within the programme is assigned to streets where storm, sewer and/or water construction is proposed by the Region. Through this coordination of various construction activities, in addition to cost savings, significantly less disruption to area residents and the travelling public will be achieved.

Cont'd

-Page 4-
November 7, 1990

Road and Sidewalk Capital Reconstruction Program

Cont'd

The proposed 1991 roadway reconstruction list also includes Crosthwaite Avenue, which was part of the 1990 supplementary programme that could not be undertaken in 1990 due to financial limitations. Edith Avenue was also on the 1990 Supplementary Programme. However, Upper Kenilworth has been inserted in the 1991 Programme in place of Edith Avenue due to the higher traffic volumes on Upper Kenilworth. It is recommended that Edith Avenue be rescheduled to 1993, at which time it would be constructed along with Nova Drive in the same area.

Based on the above considerations, the proposed 1991 Capital Reconstruction Programme is as follows:

1) Reconstruction of Roads and Abutting Sidewalks

Lower Horning Rd.	- Ofield to Harold
Ofield Rd.	- Main to Ramsey (east leg)
Haddon Ave.	- Main to Sterling
Sanatorium Rd.	- Rice to Garth
U. Kenilworth	- Broker to Mohawk
Balmoral Ave.	- Main to King
Tuxedo Ave.	- Main to Roxborough
Rosewood Rd.	- Main to Queenston
Normanhurst Ave.	- Britannia to Dunsmure
East 21st	- Queensdale to Fennell
Ivon Ave.	- Barton to Dunsmure
Scenic Dr.	- Retention Dam
Crosthwaite Ave.	- Main to Monterey

2) Reshape Surface Treated Roads & Reconstruct Sidewalks

MacLennan Ave.	- Upper Wentworth to East 23rd
----------------	--------------------------------

3) Resurfacing of City Roads

Westcliffe Ave.	- Pleasant to Garth
Pleasant Ave.	- Mountain Cr. to Denlow
Westminister Ave.	- Denlow to Mountain Cr.
Mountain Crest.	- Garth to West Limit
Magnolia Dr.	- Mohawk to Appleford
Lesterwood St.	- Lawnhurst to Ling
Queen Victoria Dr.	- Quaker (north leg) north east to Quaker (south leg)

Cont'd...

-Page 5-
November 7, 1990

Road and Sidewalk Capital Reconstruction Program

Cont'd

4) Reconstruction of sidewalks are proposed to be undertaken by the City along sections of Regional Roads that will be rehabilitated in 1991 through the Regional Road Reconstruction Program:

King St.	- Main to Keswick
Main St.	- James to Wentworth
Main St.	- Wentworth to Gage
Main St.	- Tuxedo to Queenston Traffic Circle
Queenston Rd.	- Queenston Circle to Reid
Scenic Rd.	- Denlow westerly to Parapet
Upper Paradise	- Scenic to Sanatorium
Main St. W.	- Gary to Hwy. 403

5) Reconstruction of Sidewalks Along City Roads

Maple Ave.	- Ottawa to King
Montrose Ave.	- Cochrane to Charlotte

6) Supplementary Road and Sidewalk Construction

Binkley Rd.	- Sanders to Main
Ashland Ave.	- Tenth to Winchester
Rodgers Rd.	- King to Central
Barnesdale	- Dunsmure to Main
Stirton St.	- Wilson to Cannon

Depending on the 1991 tender prices, projects in the supplementary list may be constructed in the 1991 season or will have to be rescheduled to the following year.

A draft of the proposed 1991-1995 Reconstruction Programme is included for the information of the Committee.

LR:lm

cc: K. Avery, City Clerk
cc: E. C. Matthews, City Treasury
cc: P. Noe Johnson, City Solicitor
cc: J. D. Thompson, Secretary, Finance and Administration Committee

1992 PRELIMINARY CAPITAL RECONSTRUCTION

Crestwood Drive	David - David
Cottrill St.	Main - Sanders
David Avenue	Fennell - Duncombe
Dalewood Avenue	Westwood - Haddon
Duncombe Drive	E 16th - Holt
East 35th St.	Concession - Crockett
East 36th St.	Crockett - Brucedale
East 16th St.	Fennell - Howe
Gary Avenue	Dalewood - Westwood
MacNab Street	Bold - Hurst
Macaulay Street	John - Wellington
Malta Drive	Montrose - Dunkirk
Nottingham Avenue	Tenth - Winchester
Rebecca Street	John - Wellington
Rennie Street	Parkdale - Waterloo
Sanders Boulevard	West Park - Norfolk
Munn St.	Upper Sherman - E36th
Beaucourt Road	Mericourt - Lower Horning
Beaucourt Place	Lower Horning - East End
Inchbury St.	York Street - Florence
MacNab St.	Mulberry to Stuart
Cline	Paul-Southend
Mericourt Rd.	L. Horning - Purvis
Whitney Ave.	Hydro Line - Main
Wood Street	James Street - Bay

Additional Projects - sidewalk reconstruction on City and Regional Roads
- resurfacing of City Roads

1993 PRELIMINARY CAPITAL RECONSTRUCTION

Aintree Court	Dunkirk - South End
Beddoe Drive	Studholme - South End
Burris Street	King - Main
Bevan Court	Dunkirk - South End
Elizabeth Crescent	Mericourt - Mericourt
Binkley Crescent	Sanders - Sanders
Carling Street	Macklin - Paradise
East 21st	MacLennan - Franklin
East 22nd	Queensdale - Fennell
East 25th	Concession - Queensdale
East 38th	Concession - Queensdale
Edith Avenue	Broker - Nova
Ellesworth Drive	Edith - Mountain Brow
Glow Avenue	Dunn - Woodward
Harold Street	Mericourt - Lower Horning
Hurst Place	MacNab - Park
Leeds Street	Burlington - South End
Market Street	Caroline - Bay
Nova Drive	Edith - Mountain Brow
Ratcliffe Court	Dunkirk - South End
Thorndale Crescent	Sanders - Sanders
Wesanford Place	Caroline - East End
West Park Avenue	Main - North End
Westwood Avenue	Stroud - Haddon
Hillside Avenue	Glendee Road - Lawerence

Glendee Road	Glendee Court - Glenholme
Glenholme Avenue	King - South End
Arlington Road	Glendee - Lawrence
Bromley Road	Seven Oaks - Holt
Delevan Crescent	Seven Oaks - Seven Oaks
Sheridan Avenue	East 16th - Holt
Castlefield Drive	#39 - West End
Fernwood Crescent	#46, 176 - South End/w leg
Greenwood Street	#21 - South End
Thelma Avenue	East 45th - Fernwood
Dunsmure	Strathearne - Parkdale
King's Forest Drive	Broker - Nova
Mayflower Avenue	Glendale - Gage
Eastbourne Avenue	Main - Deleware
Gerrard Street	Sherman - Birch
Glengrove Avenue	Reid - Armstrong
Eastvale Place	Armstrong - Armstrong
Bingham Road	Hayes - Glengrove

Additional Projects - sidewalk reconstruction on City and Regional Roads
- resurfacing of City Roads

1994 PRELIMINARY CAPITAL RECONSTRUCTION

Burfield Avenue	Brentwood - Kingslea
Grandfield Street	Brentwood - Kingslea
Huntington Avenue	Brentwood - Kingslea
Kenwood Crescent	Kingslea - West End
Fairleigh Avenue South	Deleware - South End
Melrose Avenue North	Barton - Beechwood
Paling Avenue	Barton - North End
Clarendon Avenue	Fennell - South Bend
Warren Avenue	South Bend - Fennell
Dundurn Street South	Aberdeen - South End
East 16th	South Bend - Mohawk
East 18th	Concession - Fennell
East 32nd	Fennell - Macassa, Munn to Crocket
Emerson Street	Main - Holmes
Franklin Street	Parkview - Paradise
King William Street	Catharine - Victoria
Maple Avenue	Kenilworth - Weir
Parkview Drive	Franklin - Norwood
Beechwood Avenue	Sherman - Lottridge
Ruth Street	Clinton - Barton
Albermarle Street	Gertrude - South End
Clarendon Avenue	Fennell - South End
East Bend	King - Main
Burkholder Drive	E25th - Upper Sherman
East 41st	Queensdale - Sunninghill
Cumberland Avenue	Gage - Wentworth

Glencairn Avenue

Lucerne - King

Reid Avenue

Roxborough - Queenston

Summerhill Avenue

Lucerne - King

Additional Projects - sidewalk reconstruction on City and Regional Roads
- resurfacing of City roads

1995 PRELIMINARY CAPITAL RECONSTRUCTION

King William	West - Jarvis
Eaton Place	Bingham - Bingham
Gertrude	Gage - Depew
East 17th Street	Fennell - Vickers
Howe Avenue	Upper Wellington - East 18th
Jellicoe Court	Vickers - South End
East 36th Street	Fennell - Mohawk
East 44th Street	Queensdale - Fennell
East 42nd Street	Seventh - Mohawk
East 24th Street	#319 - Fennell
East 23rd Street	#373 - Fennell
East 15th Street	Queensdale - Brucedale & Inchlee - Howe
Ferrara Street	Wise - Wise
McElroy Road	Upper James - Upper Wellington
Organ Crescent	Fennell - Upper Kenilworth
Pemberton Avenue	Upper Gage - to East 42nd
St. Clair Avenue	Dunsmure - Main
Somerset Avenue	Sherman - Barnsdale
Selkirk Avenue	Main - Normanhurst
Woodbridge Road	King - South End
Wise Crescent	Grenadier - Grenadier
Yates Drive	Purvis - South End
Balmoral Avenue	King - Justine
Cathcart Street	Cannon - Rebecca
Craigroyston Road	King - Queenston

Elgin Street	Wilson - Cannon
Endfield Avenue	Brentwood - Kingslea
Fairview Avenue	Cannon - King
Grovsnor Avenue	Barton - Cannon
Ipswich Place	Lawrence - South End
Leslie Avenue	West 23rd - West 35th
Fay Avenue	Broker - Organ
Keen Court	Organ - West End
Bendamere Avenue	Garth - Columbia
Columbia Drive	Bendamere - North of Delmar

Additional Projects - sidewalk reconstruction on City and Regional Roads
- resurfacing of City roads

6F

NOV 12 1990

FOR ACTION

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORTATION AND ENVIRONMENT COMMITTEE

FROM: E.M. GILL, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: 1990 November 8
COMM FILE:
DEPT FILE: E309-10

SUBJECT

Regional Municipality of Halton Gypsum Waste Recycling
Resolution, attached.

RECOMMENDATION

That the City of Hamilton support and endorse the Region of
Halton resolution.

Ted Gill

E.M. Gill, P. Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS

N/A

BACKGROUND

The Regional Municipality of Halton has forwarded a resolution
(attached) requesting a review by the Minister of the Environment
into the status of gypsum wallboard waste disposal in Ontario.
Several regions, including the Region of Hamilton-Wentworth, do
not accept this waste at their disposal facilities.

A large-scale recycling plant was commissioned in Oakville in
June 1990. This plant reprocesses drywall/gypsum waste on behalf
of a major drywall manufacturer, which in turn produces new
drywall with the reprocessed gypsum waste. The expected inflow of
drywall waste has not been realized, however, despite municipal
disposal bans.

Cont'd...

-page 2-
November 8, 1990

Regional Municipality of Halton Gypsum Waste Recycling
Resolution

BACKGROUND (Cont'd)

It is suspected that waste drywall is being delivered instead to private landfills. As it is the intention of tipping fee structures and municipal landfill bans to encourage recycling, a review of gypsum wallboard waste disposal is consistent with solid waste management objectives. Where recycling options exist, and given the difficulty associated with the establishment of new sites it is felt that the use and depletion of private site capacities could in the future have adverse impacts for municipal solid waste management systems.

5 PJ/cb

RECEIVED

THE REGIONAL MUNICIPALITY OF HALTON
P.O. BOX 7000, 1151 BRONTE ROAD
OAKVILLE, ONTARIO, CANADA L6J 6E1

AUG 23 1990

LEGAL SERVICES DEPARTMENT
REGIONAL CLERK ADMINISTRATIVE SERVICES DIVISION
TEL: 416/827-2151 FAX: 416 827-9869

CITY CLERKS



August 23, 1990

TO MUNICIPALITIES WITH A POPULATION IN EXCESS OF 20,000

Dear Sir/Madam:

Re: Gypsum Waste Recycling

This will confirm that the Council of the Regional Municipality of Halton at its meeting held Wednesday, August 22, 1990 considered a report on the above noted subject and subsequently endorsed a resolution which, in part, reads as follows:

1. THAT the Regional Clerk be requested to write to the Minister of the Environment requesting a review of the status of gypsum wallboard waste disposal in Ontario.
2. THAT the above recommendation be circulated to all Ontario municipalities with a population in excess of 20,000, requesting their endorsement, with a copy of the circulation being sent to the Association of Municipalities of Ontario.

As requested in Recommendation No. 2, please place this matter before your appropriate Committee for support and endorsement.

Yours truly

Pat Crimmins
Committee Coordinator/Deputy Clerk

PC/sg

Local Inquiries From:

BURLINGTON, MILTON
AND OAKVILLE
827-2151

HALTON HILLS
ACTON
853-0501

HALTON HILLS
GEORGETOWN
878-8113

BURLINGTON
ALDERSHOT
639-4540



NOV 12 1990

FOR ACTION

6g

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E.M. GILL, P. ENG
ACTING COMMISSIONER OF ENGINEERING

DATE: 1990 November 09
COMM FILE: 3-11.9.1
DEPT. FILE: T103-23(A)

SUBJECT

Temporary Street Closure - Ferguson Avenue North between King and King William Streets.

RECOMMENDATION

That the action of the Commissioner of Engineering be confirmed in authorizing :

The application of the Hamilton Hydro Electric System to temporarily close, Ferguson Avenue South between King Street East and King William Street, on Saturday November 17, 1990 from 8:00 a.m. to 4:00 p.m. in order to install a hydro duct, for the Canadian National Railway, subject to the following conditions:

- i) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department if deemed appropriate on the affected roadways, at the expense of the applicant;
- ii) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- iii) That the applicant provide proof of \$1,000,000 public liability insurance, naming the City as an added insured party with a provisions for cross liability, and holding the City harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss;
- iv) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department and any other agency for any costs incurred by these agencies as a result of this closure;

Continued ...

-Page 2-

November 9, 1990

Temporary Street Closure - Ferguson Avenue North between King and King William Street.

Continued ...

- v) That no property owner or resident within the barricaded area be denied access to their property if requested.
- vi) That all property owners and tenants along the closed portion of the road be notified of the proposal by the applicant at least one week prior to the event in a form acceptable to the Commissioner of Engineering.



E.M. Gill, P. Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS

N/A

BACKGROUND

We have received a request from Mr. D.R. Marsales, agent on behalf of Hamilton Hydro, to close Ferguson Avenue South Between King Street and King William Street on Saturday November 17, 1990.

The applicant has notified the affected owners and tenants of Ferguson Avenue and has forwarded a petition, signed by all in agreement with the temporary closure.

The Engineering Department has contacted the Hamilton Street Railway, the Regional Police Department and the affected municipal departments by telephone and received no objections.

JJC JKC:rbo

cc: Staff Sgt. Martin, Regional Police Department
cc: J.G. Pavelka, Director of Public Works
cc: M.F. Main, Director of Traffic Services

6h

FOR ACTION

REPORT TO: MS. T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E.M. GILL, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: 9 November 1990
COMM FILE: 3-15.1
DEPT. FILE: T104-90

SUBJECT

Transfer of Funds
Railway Crossing Signal Maintenance

RECOMMENDATION

- 1) That an additional amount of \$25,000 be provided in the 1990 Current Budget, Railway Crossing General Maintenance Account CH57408 52010.
- 2) That this amount be transferred from the Railway Crossing Specific Maintenance Account CH57409 51010.
- 3) That the Acting Commissioner of Engineering be authorized to issue the necessary purchase order on behalf of the City of Hamilton to CP Rail.



E.M. Gill, P. Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS

See above Recommendations

BACKGROUND

The original Budget estimate for Railway Crossing General Maintenance was \$142,000. Your Committee reduced this by \$20,000 to \$122,000. We have processed invoices from CP Rail to the end of September 1990 and we will experience a shortfall of \$25,000 by the end of the year based on the current balances. Therefore, it would be appropriate to transfer this amount from the Railway Crossing Specific Maintenance Account which has a surplus due to a cutback in CN Rail's proposed crossing rehabilitation program.

RPM:rbo

cc: E.C. Matthews, City Treasurer

6i.

Nov 12/90

FOR ACTION

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: November 12/90
COMM FILE:
DEPT FILE: (See
Schedule)

SUBJECT

Incorporating certain City lands into various streets by By-Law.

RECOMMENDATION

a) That the following City lands be incorporated into the various streets as noted in Schedule 'A'.

Rexford Drive	Block 56, Plan 62M-384
Rexford Drive	Parts 4&6, Plan 62R-10808
Atherley Drive	Part 2, Plan 62R-10808
Bow Valley Drive	Block 52, Plan 62M-357
Limeridge Road	Part 3, Plan 62R-8668

b) That the By-Laws attached to this report to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.

c) That the Commissioner of Engineering be authorized and directed to register the by-laws.

Ted Gill

E. M. Gill, P. Eng.
Acting Commissioner of Engineering

FINANCIAL CONSIDERATIONS

N/A

Cont'd

- page 2 -
November 12, 1990

Cont'd

BACKGROUND

To complete the final street width or provide access to newly registered subdivision developments it is necessary to incorporate City lands into the road allowance as indicated in Schedule 'A', appended hereto.

AMS
KML:ljm
Encl.

cc: Mr. K. E. Avery, City Clerk
Att: R. Morrison (encl.)
cc: Ms. Patrice Noe Johnson, City Solicitor
cc: Mr. F. Angelici, Planning Department

SCHEDULE "A"

<u>Incorporating into</u> <u>Street Name</u>	<u>Description of Lands</u> <u>being Incorporated</u>	<u>Financial</u> <u>Implications</u>	<u>Reason for being</u> <u>Incorporated</u>	<u>File No.</u>
Rexford Drive	Block 56, Plan 62M-384	N/A	To connect & provide access to Plan 62M-384 and Part 6, Plan 62R-10808 (also to be established by By-Law see paragraph below)	S718-15
Rexford Drive	Parts 4 & 6, Plan 62R-10808, (being parts of Lot 8, Conc. 7, formerly Barton Township	N/A	To connect & provide access and hook-up between Plan 62M-384 and 62M-583	S718-15 S708-53
Atherley Drive	Part 2, Plan 62R-10808 (being part of Lot 8, Concession 7, formerly Barton Township)	N/A	To connect & provide access between Upper Sherman Ave. and Rexford Drive (see previous paragraph)	S708-53
Bow Valley Drive	Block 52, Plan 62M-357	N/A	To hook-up and provide access from Bow Valley Drive, Plan 62M-357 with Bow Valley Drive (as established by By-Law No. 90-175)	S610-01 S610-03
Limeridge Road	Part 3, Plan 62R-8668 (being part of Lot 9, Concession 6, formerly Barton Township)	N/A	To complete the final width of Limeridge Road in this area and provide access to and from Part 2, Plan 62R-8868	S610-03

NOV 12 1990

CITY OF HAMILTON
- RECOMMENDATION -

7.

DATE: 1990 November 9

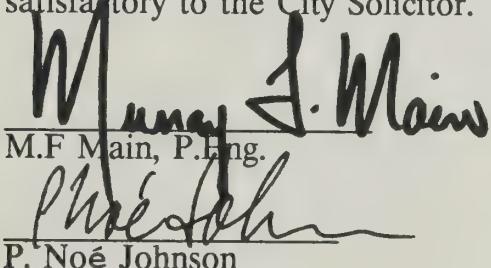
REPORT TO: Mr. J. J. Schatz, Acting Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

Ms. P. Noé Johnson
City Solicitor

SUBJECT: 97 Pearl Street North - Request for Driveway Approach Approval

RECOMMENDATION: That the construction of a 13 foot driveway approach located at 97 and 101 Pearl Street North to accomodate residential parking on site for 97 Pearl Street North be approved, subject to the registration of an agreement which is in a form satisfactory to the City Solicitor.


M.F Main, P.Eng.
P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Legal implications addressed below.

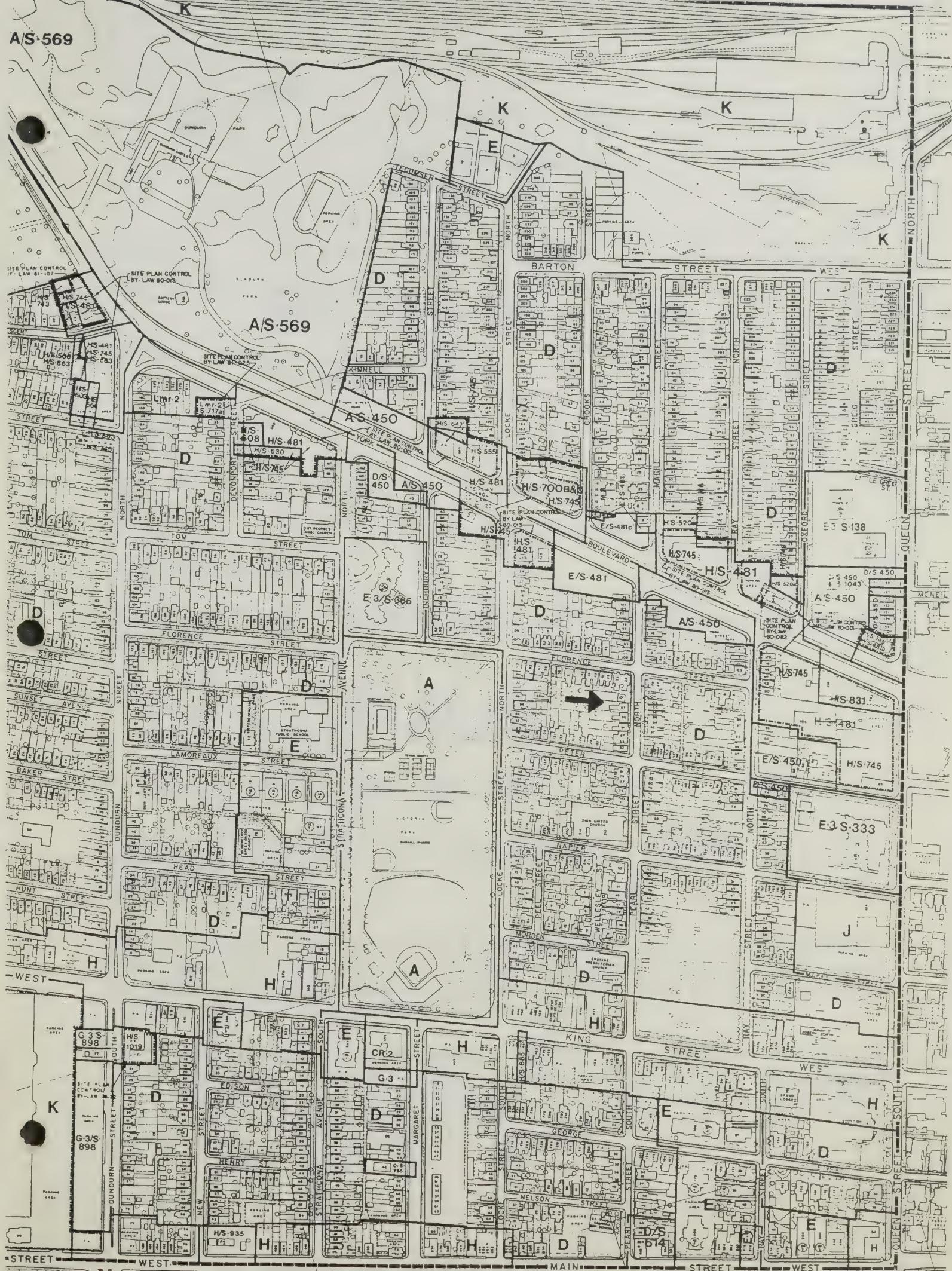
BACKGROUND: The City Streets By-law provides for the construction of a driveway approach to residential parking where there is sufficient space to accomodate a vehicle on the particular residential property. The initial application was to accomodate residential parking partially on an adjoining lot.

DISCUSSION: In this application, the owner of 101 Pearl Street North proposes to lease for a term of twenty years or less, at the option of either party with 30 days notice, a portion of their property adjacent, to 97 Pearl Street North to accomodate one vehicle. The property located at 97 Pearl Street North upon execution and registration of the proposed lease will comply with the requirements of the Streets By-law. The registration is required in order to give notice to future owners of the property of the lease agreement. If the lease is for a period less than twenty-one years, no approvals are necessary under the Planning Act.

Should the proposed agreement be in the form of an easement or right-of-way, and not a lease, this would give rise to enforcement problems and be in conflict with the legal right of both property owners to unobstructed use of the same property. Therefore, the Law department is recommending acceptance of a lease which has been registered on title.

The Engineering Department is addressing specific circumstances regarding the actual construction of the on site driveway for the garage on 101 Pearl Street North to insure compliance with engineering specifications.

A/S-569



NOV 12 1990

8a

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 October 31

REPORT TO: Ms. Tina Agnello,
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Request for a School Crossing Guard - Main Street East and London Street.
[TEC-263-90]

RECOMMENDATION:

That a School Crossing Guard not be assigned to the intersection of Main Street East and London Street.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost to assign a School Crossing Guard to any location in the City is approximately \$6,800 and sufficient funds would be available for a crossing guard at this location.

BACKGROUND:

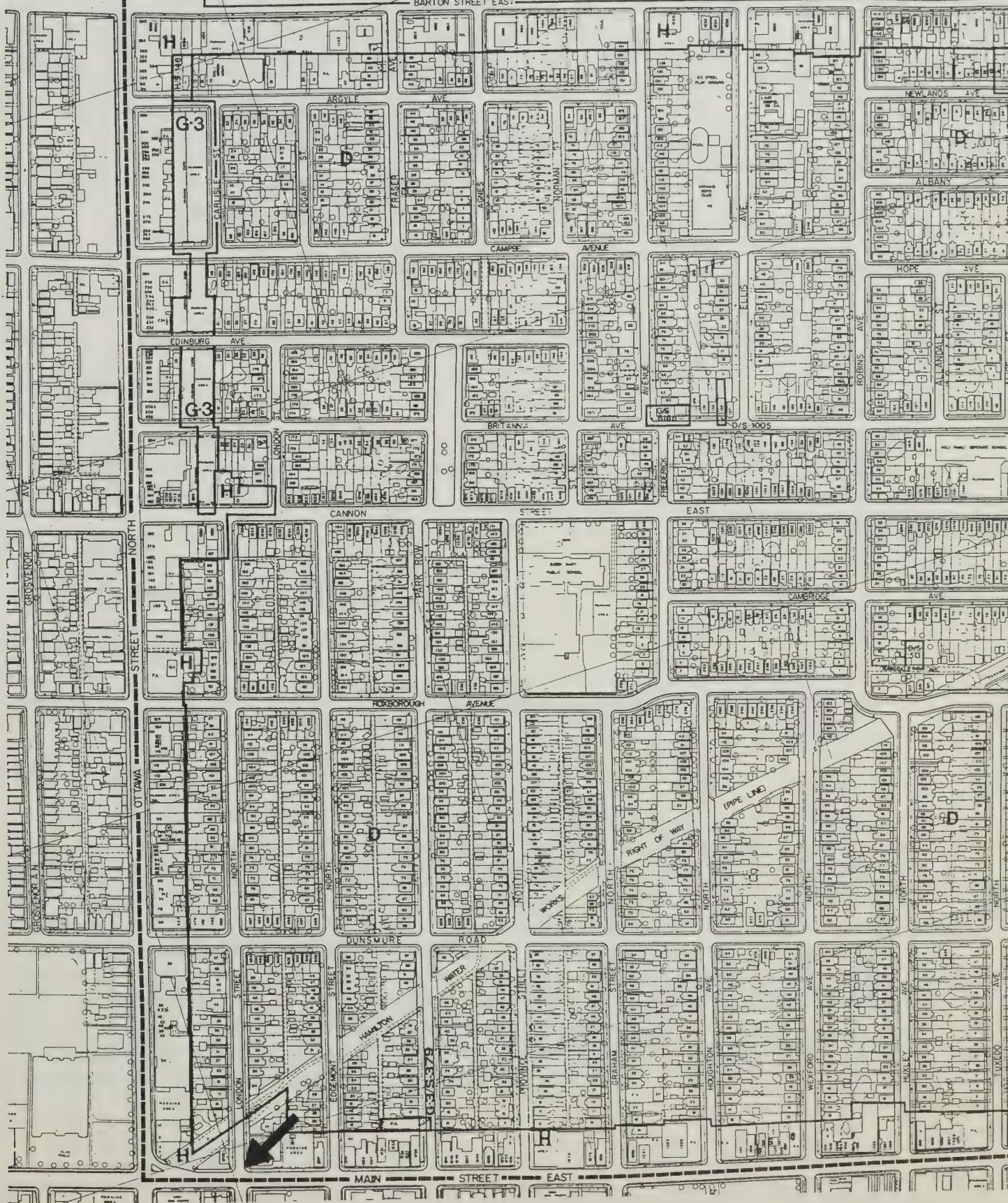
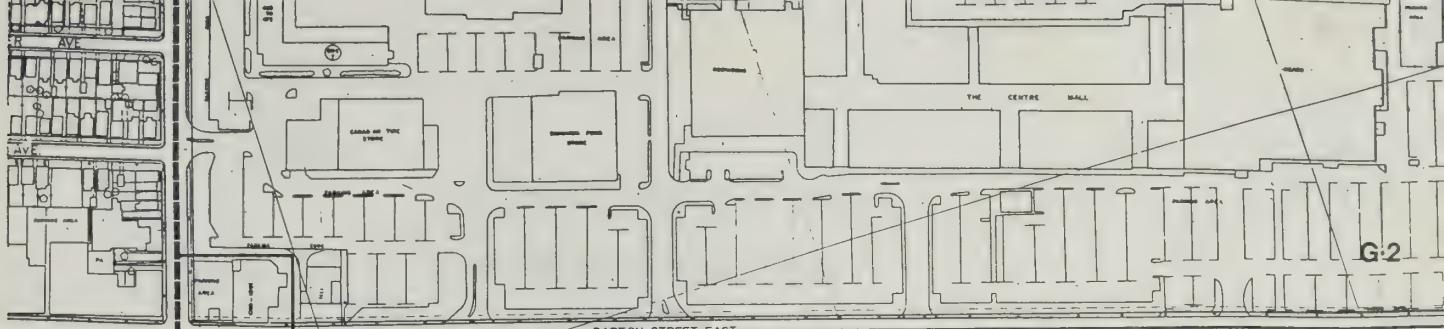
Former Alderman David Christopherson's office referred a resident's concern to the Traffic Department that the School Crossing Guard at the intersection of Main and Ottawa should be relocated one block easterly to the intersection of Main and London because more children cross at this location than at Main and Ottawa.

On 1990 September 05, the supervised school crossing in front of Memorial School at Main and Grosvenor was temporarily relocated one block easterly to Main and Ottawa, due to the reconstruction of Main and the presence of heavy equipment in the crossing area. The school crossing guard is required at Main and Grosvenor and will be returned to that location as soon as conditions allow.

The school crossing office conducted studies at London and Main on 1990 October 11 and 17, and determined that only four children crossed Main in the vicinity of London during the four school crossing periods. It would not be unreasonable to direct these children to cross with the traffic signal at Main and Ottawa, which is only approximately 200 feet west of London.

Traffic Department records indicate that there have been no school aged pedestrian collisions reported during school crossing times at Main and London in the past three and a half years. This is an excellent record which could not be improved upon by assigning a school crossing guard to the intersection.

For the above reasons, the Traffic Department does not recommend that a School Crossing Guard be assigned to the intersection of Main and London at this time.





NOV 12 1990

8b

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 8

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Mr. Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Britannia Avenue, west of Barons Avenue - school crossing guard. (TEC-271-90)

RECOMMENDATION:

That the existing supervised school crosswalk on Britannia Avenue, west of Barons Avenue, be relocated approximately 50 feet easterly to the west crosswalk of the intersection of Barons Avenue and Britannia Avenue.

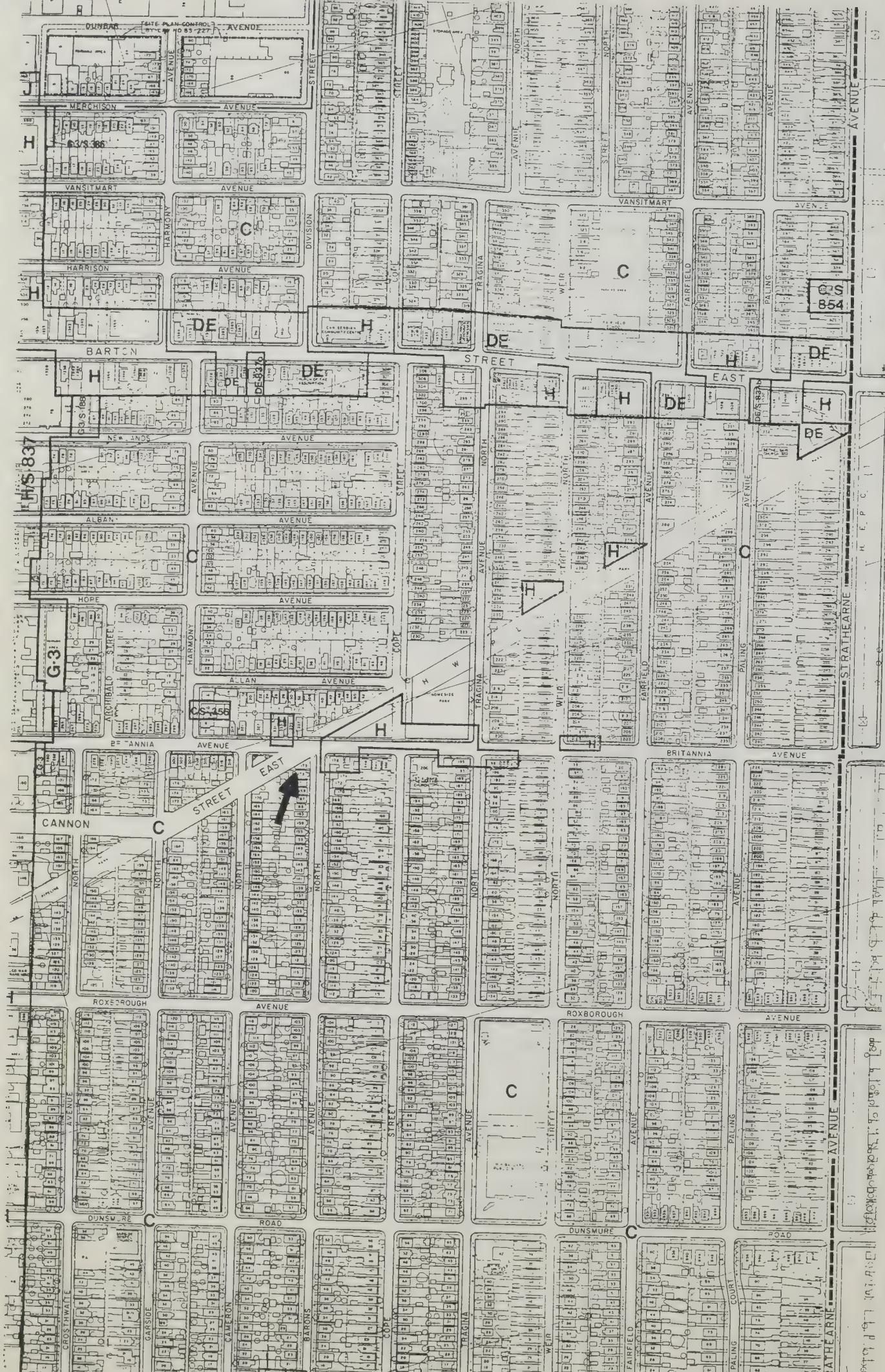
Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1990 Traffic Department operating budget to cover the cost of revising the pavement markings.

BACKGROUND:

Alderman Geraldine Copps recently expressed concern regarding conditions for pedestrians attempting to cross Britannia Avenue in the vicinity of Barons Avenue. As a result of an investigation by the Traffic Department, it was concluded that the visibility of the crossing guard at the present location on Britannia, west of Barons, is somewhat restricted because of the curve in the roadway on Britannia. The visibility of the crossing guard would be better for motorists in both directions on Britannia if the supervised school crosswalk is relocated approximately 50 feet easterly, to the west crosswalk at the intersection of Barons and Britannia. There is an asphalt pathway through Andrew Warburton Park which meets Britannia at Barons such that pedestrians walking through the park might find this to be a more desirable location to cross Britannia. Therefore, the Traffic Department recommends that the supervised school crosswalk be relocated.



NOV 14 1990

**CITY OF HAMILTON
- RECOMMENDATION -**

8c.

DATE: 1990 October 04

REPORT TO: Chairman and Members,
Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT: Erection of Special Street Name Signs in Business Improvement Areas in Hamilton -
Downtown B.I.A. (TEC-238-90)

RECOMMENDATION:

- a) That the style of special street name sign submitted by the Downtown B.I.A. as illustrated in the drawing appended hereto be approved and,
- b) That the City of Hamilton Traffic Department be authorized to install and maintain the special street name signs as provided by the B.I.A. on Mary, Catharine and Hughson from Main to King William, and on MacNab from Main to King, and on King William from James to Mary.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: (IF NONE, STATE N/A)

The cost of manufacture and initial installation of the special signs (including extra signs for future maintenance) is to be funded from the Commercial Improvement Program, by the City of Hamilton Public Works Department, Parks Division, Community Development Section. The labour and material costs associated with future maintenance will be funded from the regular regional street name sign accounts, for which sufficient funds have been allocated in the current budget.

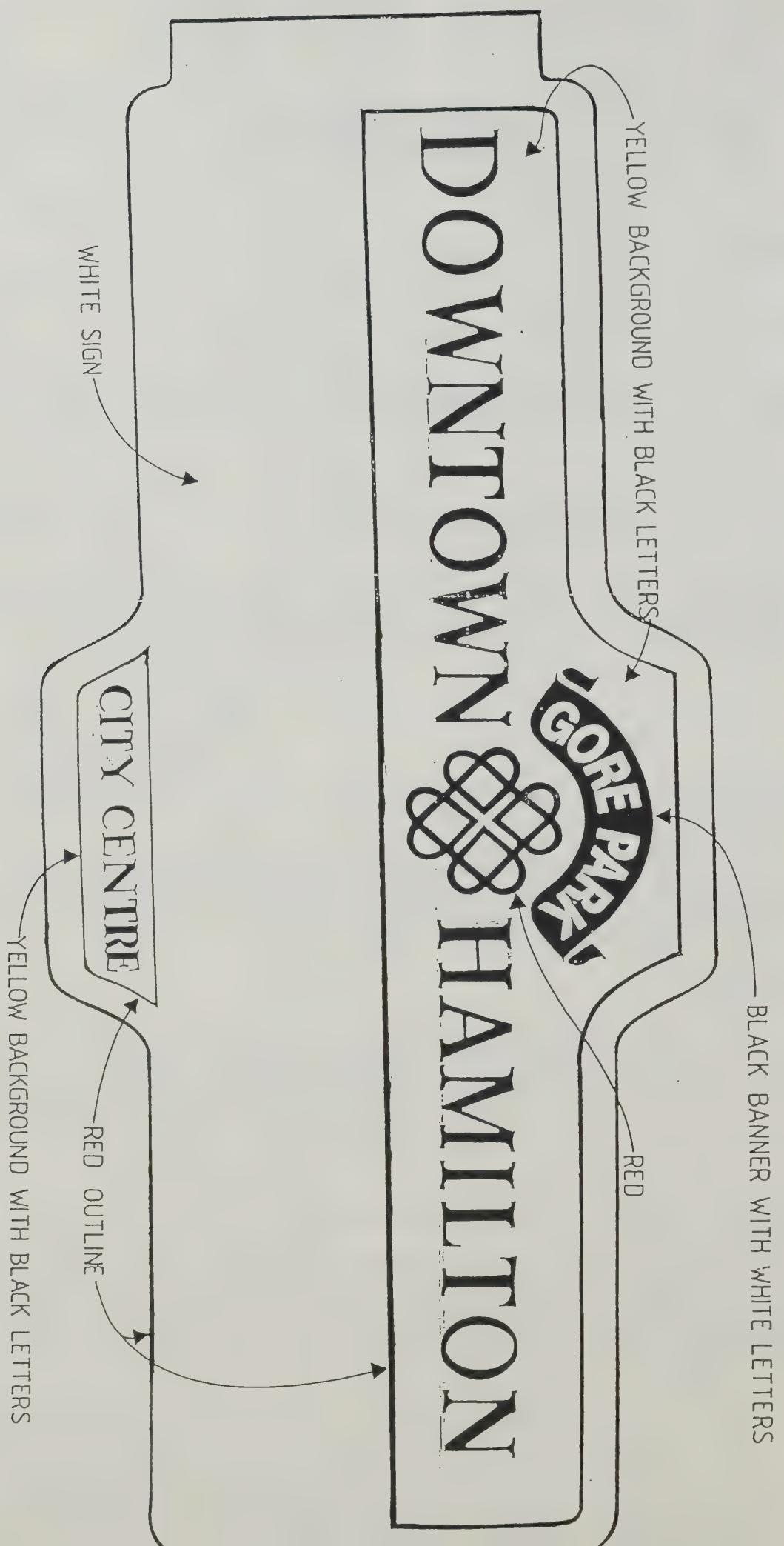
BACKGROUND:

In April 1989 the Engineering Services Committee approved the concept of using special street name signs in Business Improvement Areas. Regional Council subsequently approved several recommendations dealing with the installation of special street name signs. One of the conditions was that special street name signs be subject to approval by the Commissioner of Engineering and the Director of Traffic Services. The approval was to consider colour, style of art work and legibility with the understanding that special street name signs are to carry no commercial or advertising message.

Following staff approval, special street name signs are to be submitted to the Engineering Services Committee and the Regional Council for approval of the design.

The Downtown B.I.A. has submitted a sample of artwork to be used on special street name signs to be installed at intersections on Mary, Catharine, and Hughson from Main to King William, on MacNab from Main to King and on King William from James to Mary. The sample is shown on the attached drawing. The Commissioner of Engineering and the Director of Traffic Services find the sample submitted satisfactory with respect to the aspects of colour, style of artwork, legibility and message.

Attach.



NOV 12 1990

9a

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 1

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Royal Avenue between Emerson Street and Leland Avenue - Parking Regulations
[TEC-269-90]

RECOMMENDATION:

- a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Royal Avenue between Emerson Street and Leland Avenue; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 per year charge for each parking permit will off-set the cost to some degree.

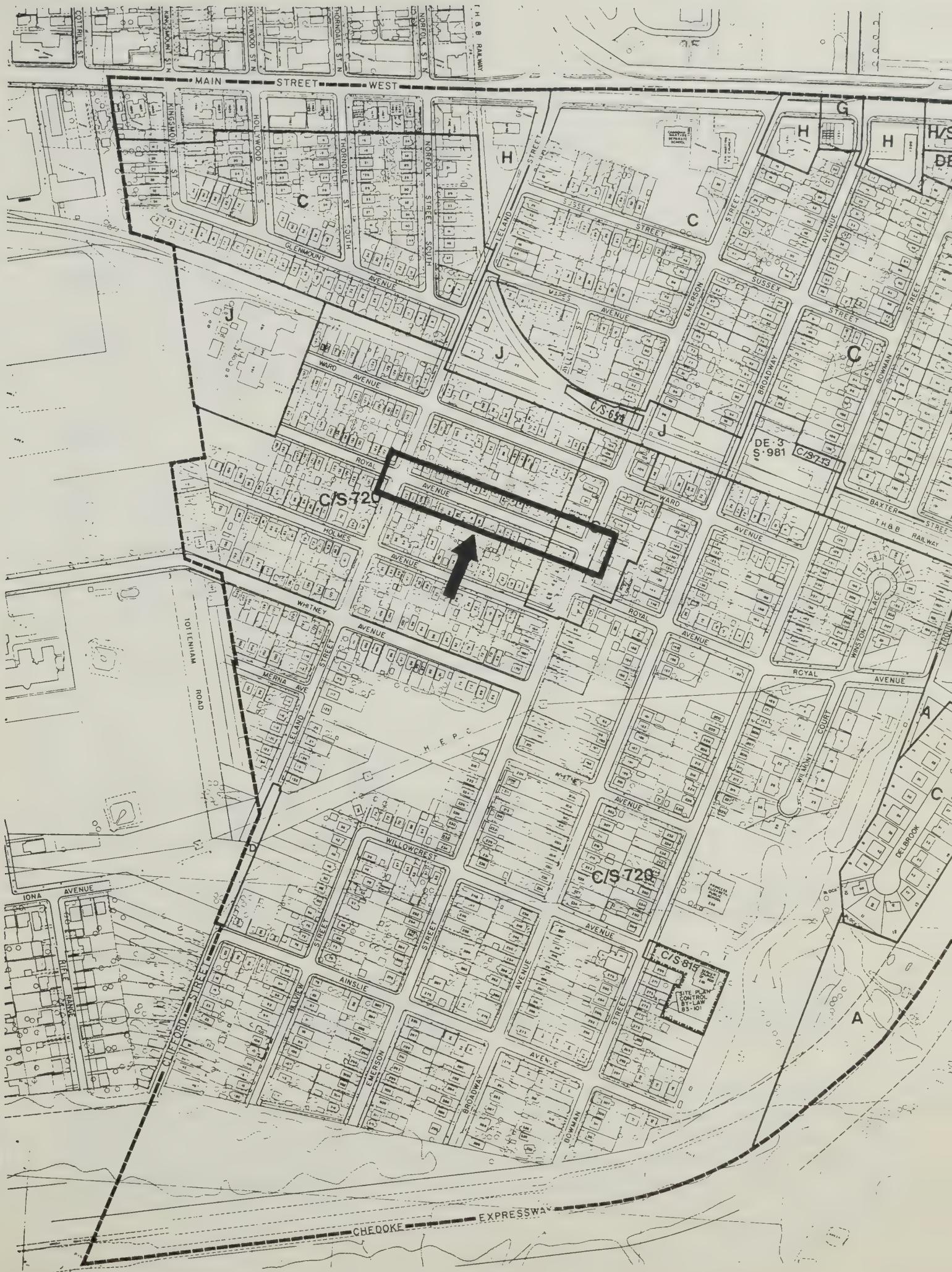
BACKGROUND:

The Traffic has received a petition signed by representatives of 21 of the 32 one, two and three family dwellings abutting Royal between Emerson and Leland, requesting that a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of the street in this block. All 21 residents who signed the petition are in favour of the requested regulation.

Royal has a 30 foot pavement width, and presently, there is unrestricted free parking on both sides of the street in this block. The implementation of the requested regulation

would eliminate long-term non-resident parking by employees and students of McMaster University and area residents would be entitled to purchase permits at a cost of \$24.00 per year per permit to exempt their vehicles from the signed parking time limit.

The Traffic Department concurs with the request, since 66% of the abutting residents are in favour of the requested regulation.



NOV 12 1990

CITY OF HAMILTON
- RECOMMENDATION -

9b

DATE: 1990 November 8

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Mr. Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Bay Street North between Burlington and Wood Streets - parking regulations.
(TEC-277-90)

RECOMMENDATION:

- a) That parking be prohibited on the north/west side of Bay Street North between Burlington and Wood Streets; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required "No Parking" signs.

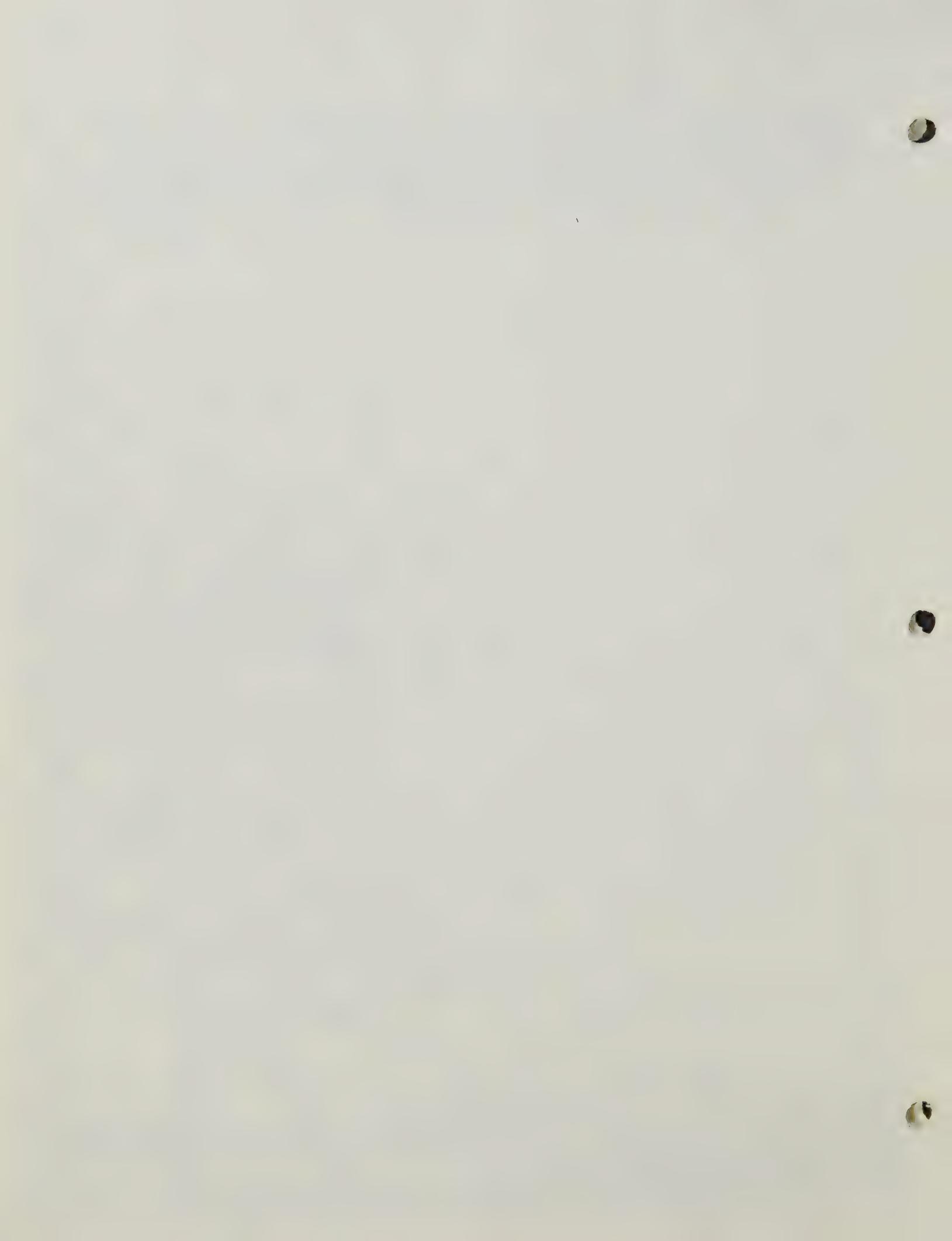
BACKGROUND:

The Traffic Department has received a letter from Mr. Paul Robb, 270 Hatt Street, Dundas, Ontario, expressing concern regarding parking on both sides of Bay Street North in the block between Burlington and Wood.

Bay Street North has a 30 foot pavement width in this area, and presently, there is unrestricted parking on both sides of the street. The Traffic Department supports the principle of removing parking from one side of narrow streets such as this in order to facilitate the movement of traffic and driveway movements. Therefore, the Traffic Department recommends a parking prohibition on the north/west side of the street.

While a petition would normally be requested, there are only two residential properties fronting on Bay Street in this block. Both of these properties have off-street parking provided, and parking would still be permitted on the south side directly in front of these homes. Therefore, a parking prohibition on the north side of the street to facilitate the movement of traffic should not create any parking difficulties for these residents.





NOV 12 1990

CITY OF HAMILTON

- RECOMMENDATION -

9c

DATE: 1990 November 12

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Markland Street between Bay Street South and Park Street South/Chilton Place - Parking Regulations. [TEC-275-90]

RECOMMENDATION:

- a) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Markland Street between Bay Street South and Park Street South/Chilton Place; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

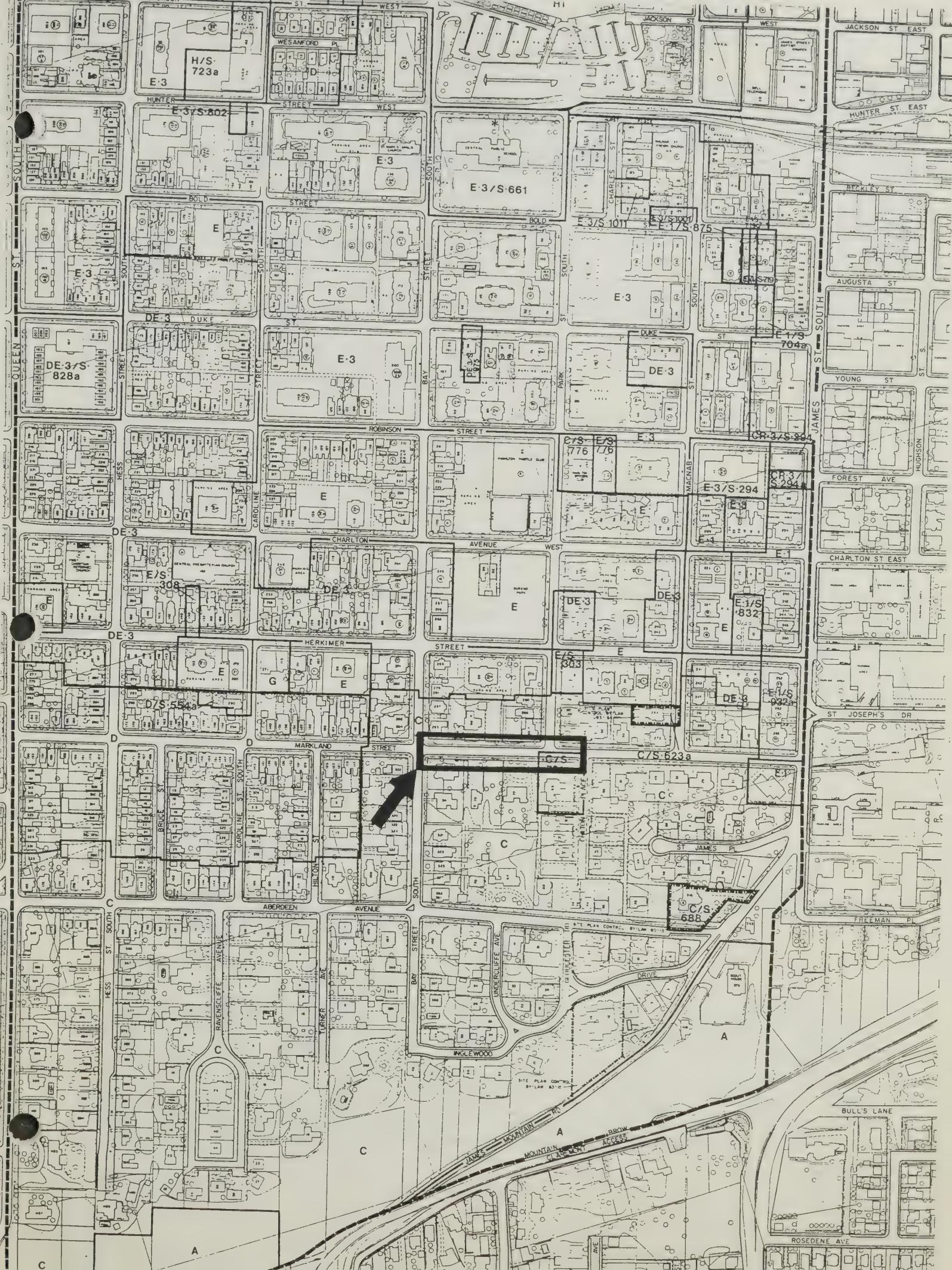
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds have been provided in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 per year charge for each permit will off-set the cost to some degree.

BACKGROUND:

The Traffic Department has received a petition signed by representatives of 6 of the 8 one, two and three family dwellings on Markland Street in the block between Bay Street South and Park Street South/Chilton Place, requesting that a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on the street. All six residents who signed the petition indicated their support of the proposed regulation. Presently, there is an "Alternate Side Parking" regulation on the street in this area and the residents have expressed concern regarding non-resident long-term parking.

The implementation of the requested regulation would eliminate long-term, non-resident parking. Area residents of one, two and three family dwellings would be entitled to purchase permits to exempt their vehicles from the signed parking time limit. Therefore, since 75% of the abutting residents have signed the petition, the Traffic Department concurs with the request.



NOV 12 1990

CITY OF HAMILTON

- RECOMMENDATION -

9d

DATE: 1990 November 12

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Springer Avenue between Maplewood Avenue and Main Street East - Parking Regulations.
[TEC-274-90]

RECOMMENDATION:

- a) That the existing "Permit Parking, 24 hours a day, 7 days a week" regulation on the east side of Springer Avenue between Maplewood Avenue and Main Street East be replaced with a "Permit Parking, 24 hours a day, Monday to Saturday" regulation; and
- b) That the City By-law 89-72 be amended accordingly.

Murray F. Main

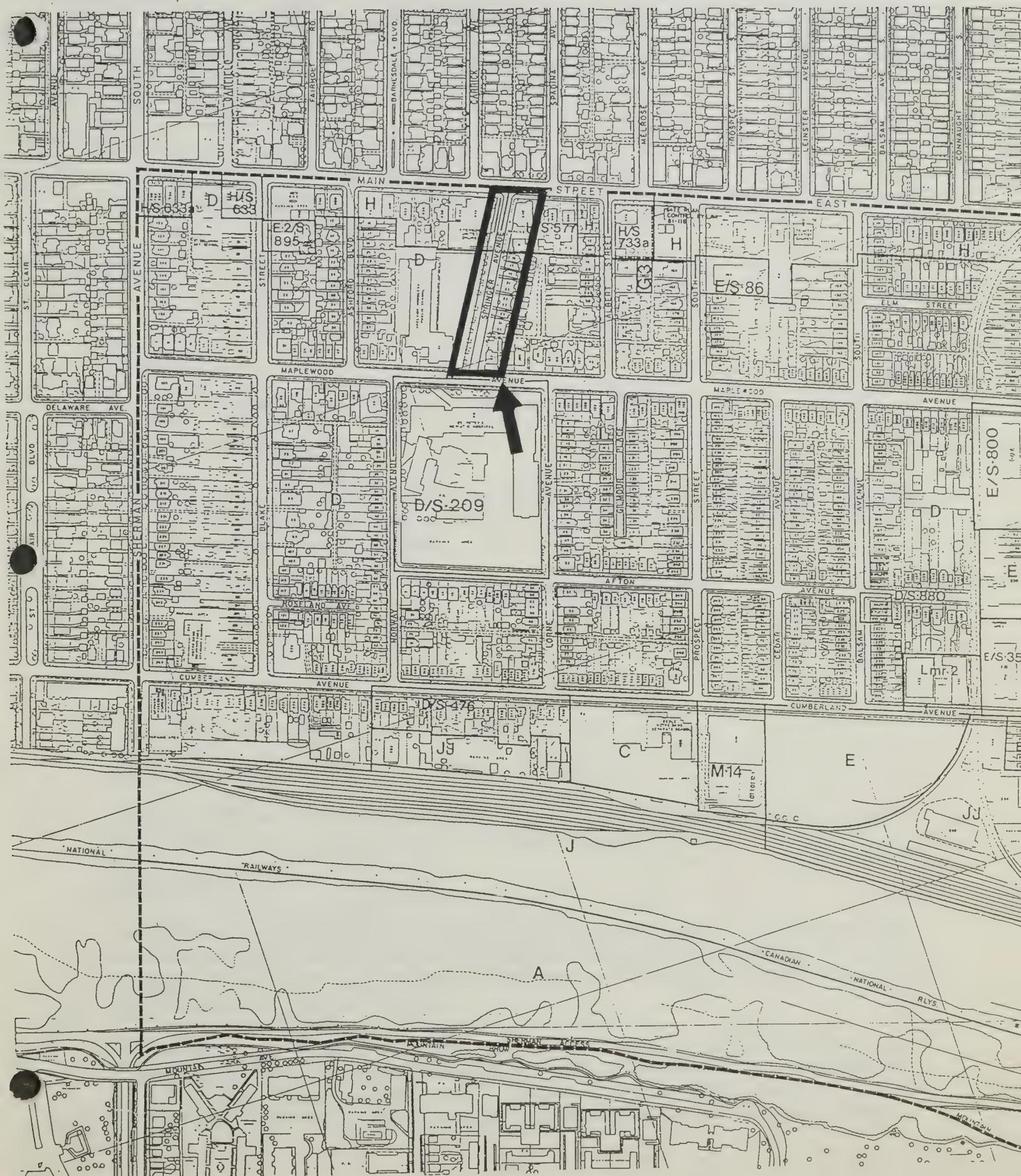
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are sufficient funds available in the 1990 Traffic Department operating budget for manufacturing, erecting and maintaining the required signs.

BACKGROUND:

In report TEC-119-90, the Traffic Department reported respecting a petition by representatives of Springer Avenue between Maplewood Avenue and Main Street East requesting that a "Permit Parking, 24 hours a day, 7 days a week" regulation be implemented on the east side of the street, because of long-term parking by staff of St. Peter's Hospital. Since the petition was signed by a majority of the abutting residents (83%), the Committee, and subsequently the City Council on 1990 July 31, approved the request and the "Permit Parking" signs were erected shortly thereafter.

Following the erection of the signs, the Traffic Department and various Council members including Mayor Robert M. Morrow and Alderman Brian Hinkley received several complaints from Ryerson United Church regarding the lack of available visitor parking on Sundays. As a result, the Traffic Department contacted the residents of Springer Avenue in this block and determined that representatives of 11 of the 12 homes support changing the regulation such that it is in effect only from Monday to Saturday. The Minister of Ryerson United Church also supports this change. Therefore, since 92% of the abutting residents agree to revising the existing "Permit Parking" regulation, to exclude Sundays, the Traffic Department concurs with this request.





NOV 12 1990

CITY OF HAMILTON
- RECOMMENDATION -

9e.

DATE: 1990 October 30

REPORT TO: Mr. J. J. Schatz, Acting Secretary
Transport and Environment Committee

FROM: Mr. Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

No. 11 Hess Street South - request for a loading zone. (TEC-268-90)

RECOMMENDATION:

- a) That one parking meter be removed and that parking be prohibited on the east side of Hess Street South from a point 81 feet south of King Street West to a point 31 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

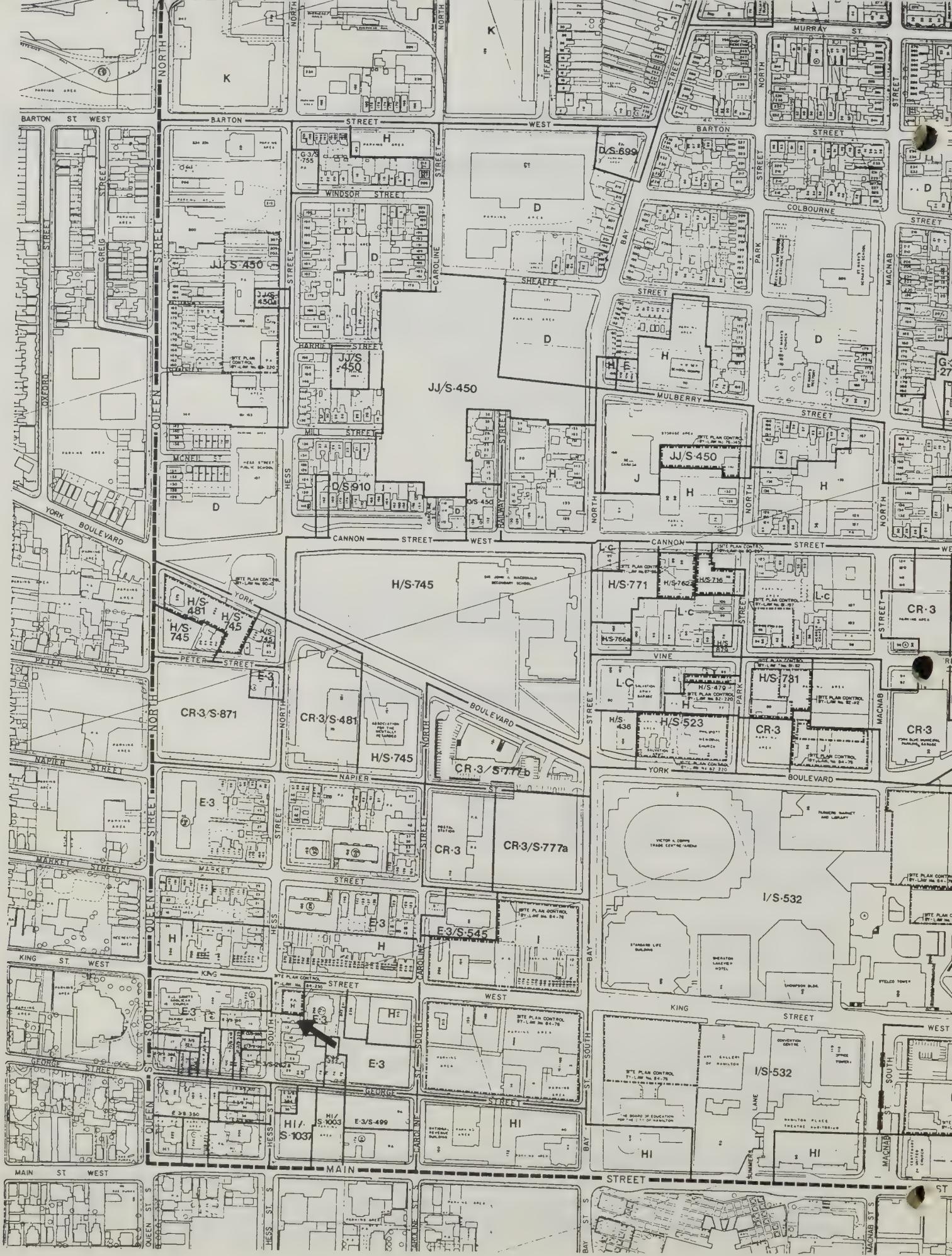
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs.

BACKGROUND:

The proprietor of Brandi's House of Flowers, 11 Hess Street South, has requested that a loading zone be implemented on the street directly in front of his business. Presently, parking is prohibited on the west side and there are one hour parking meters on the east side of Hess Street South in this area.

The parking meters in this block are generally heavily parked, such that complaints might be received regarding the loss of one parking meter. However, since the applicant has advised that he requires a loading zone, rather than a parking space, and there is no alternative off-street loading space, the Traffic Department concurs with this request.



NOV 12 1990

10a

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1990 November 8

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Intersection of Brucedale Avenue and Rendell Boulevard - Intersection Control
[TEC-273-90]

RECOMMENDATION:

- a) That four-way stop control be implemented at the intersection of Brucedale Avenue and Rendell Boulevard; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

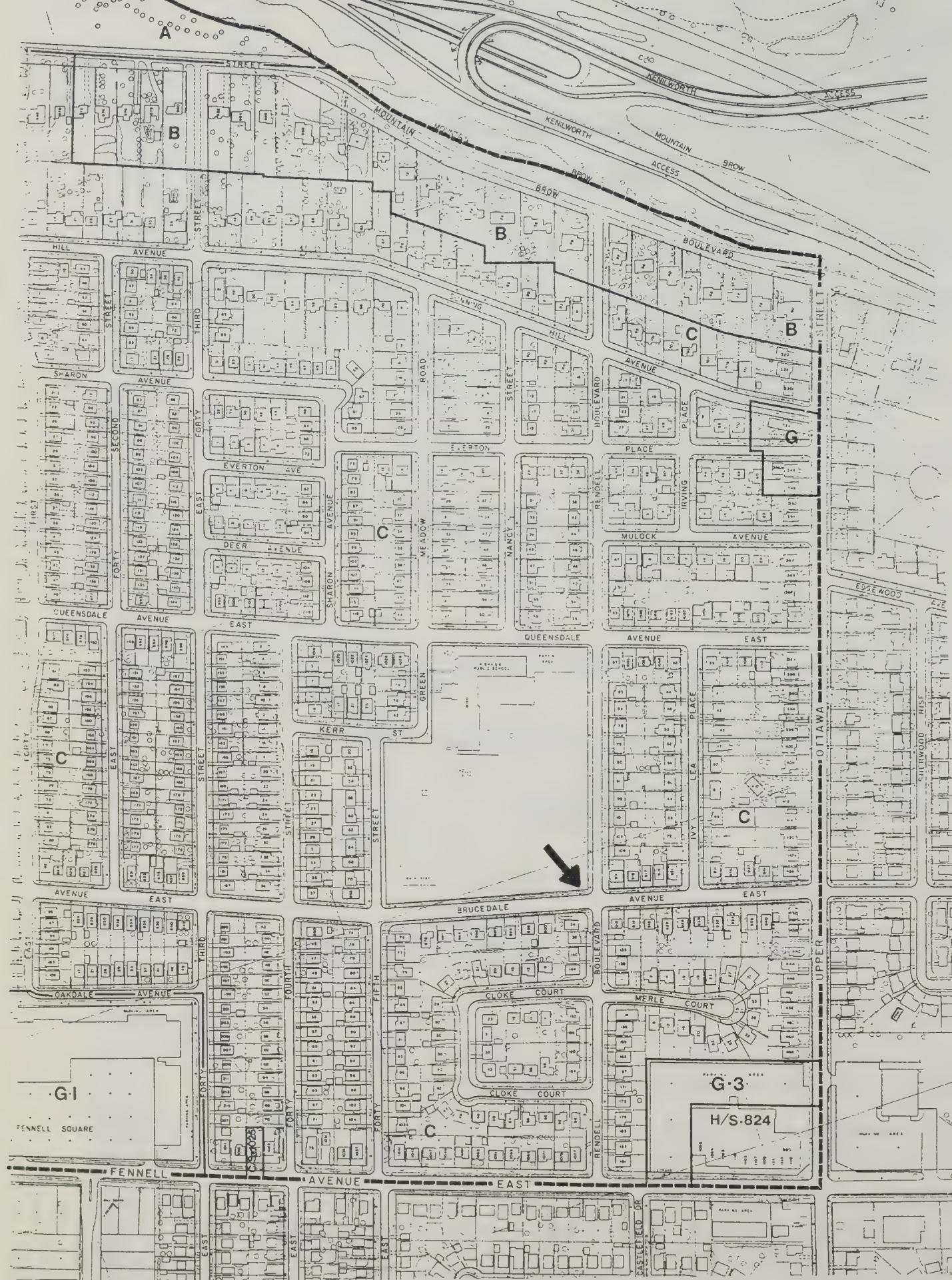
Sufficient funds are provided in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs.

BACKGROUND:

Alderman Tom Jackson has advised of a request that four-way stop control be implemented at the intersection of Brucedale and Rendell.

The subject intersection is a four-leg intersection, and presently, eastbound and westbound traffic on East 45th is required to stop for northbound and southbound traffic on Rendell.

After a detailed investigation, the Traffic Department has concluded that the intersection of Brucedale and Rendell would be an appropriate location for all-way stop control since there are presently no stop signs on Rendell between Fennell and Queensdale, a distance of approximately 1700 feet and because of the close proximity to Highview Park. Therefore, the Traffic Department concurs with the request.



NOV 12 1990

10b

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1990 November 1

REPORT TO: Mr. J. J. Schatz, Acting Secretary
Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Intersection of Campbell Avenue and Rosslyn Avenue North - Intersection Control.
[TEC-267-90]

RECOMMENDATION:

- a) That four-way stop control be implemented at the intersection of Campbell Avenue and Rosslyn Avenue North; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs.

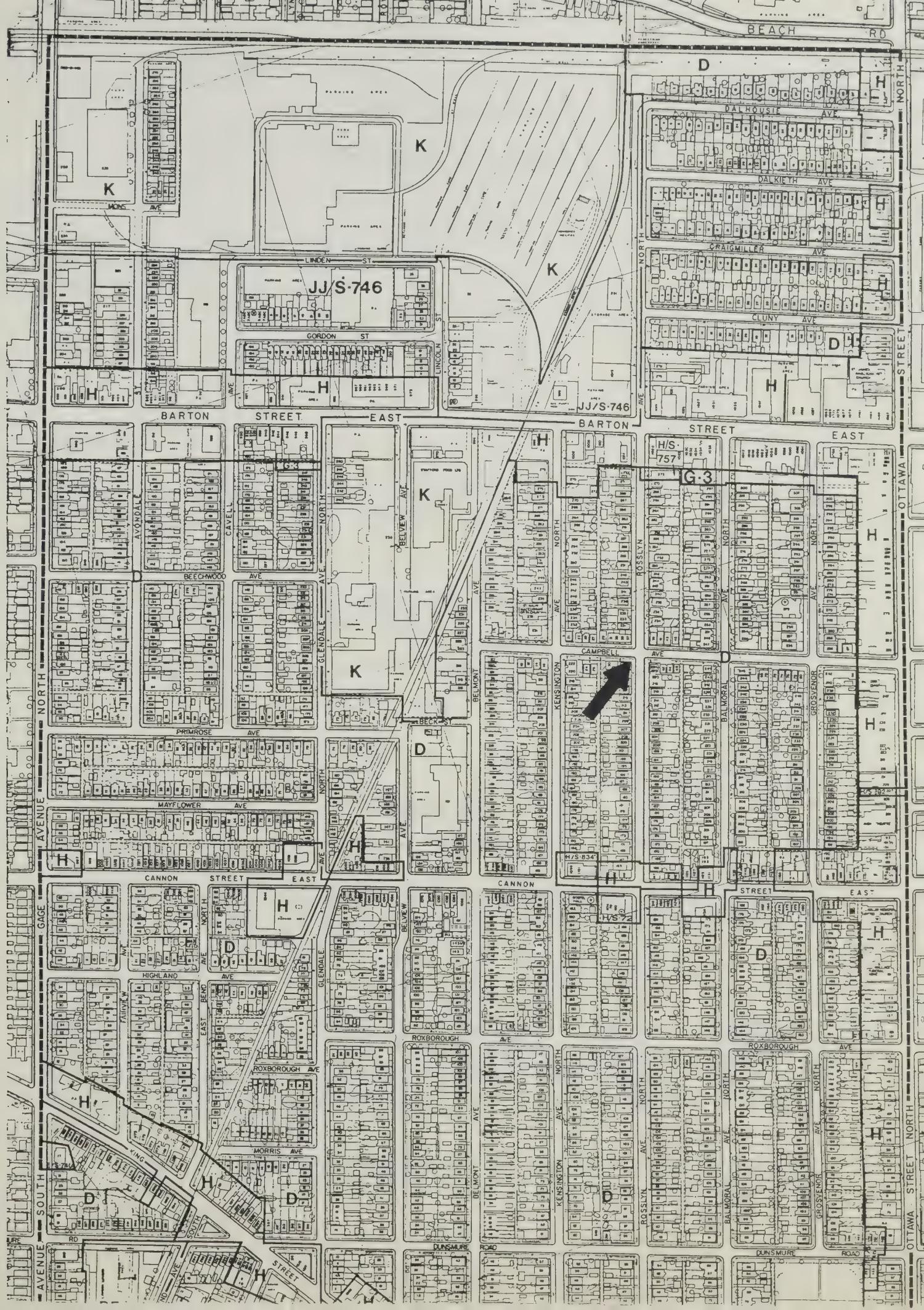
BACKGROUND:

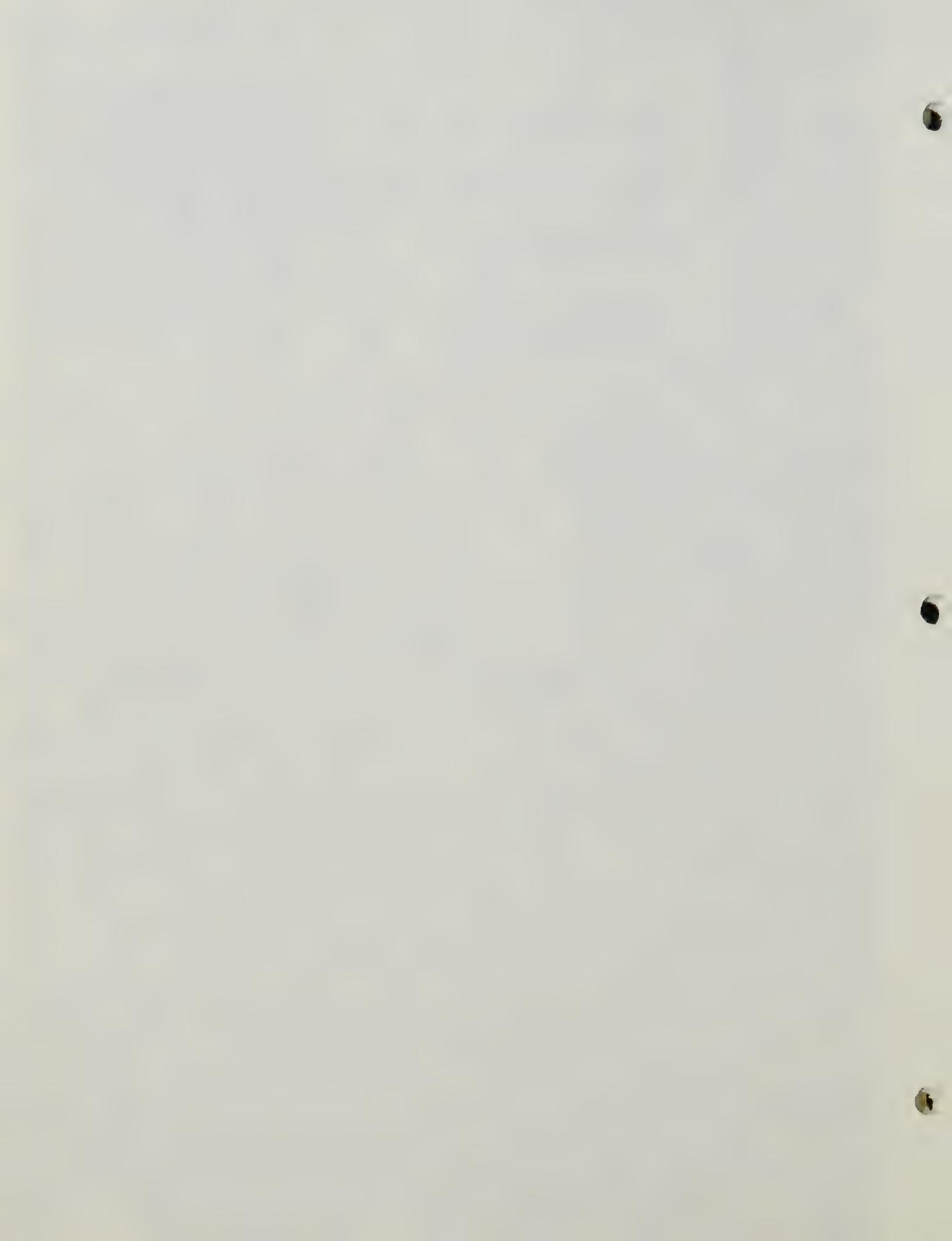
The Traffic Department has received a request from Mrs. Sandy Jamieson, 213 Rosslyn Avenue North, that four-way stop control be implemented at the intersection of Campbell and Rosslyn.

The subject intersection is a four-leg intersection, and presently, eastbound and westbound traffic on Campbell is required to stop for northbound and southbound traffic on Rosslyn.

The Traffic Department utilizes certain criteria to determine when all-direction stop control is required at an intersection because of the large number of requests for this type of device. The criteria are related to the proximity to the front door of a school, the

classification of the intersecting streets, the past collision record and to severe visibility obstructions which make it necessary for all vehicles to stop. The intersection of Campbell and Rosslyn meets at least one of the criteria since it has experienced approximately three collisions per year for the past three years and there are no other measures which can be taken to improve the collision record. Therefore, the Traffic Department concurs with the request for all-way stop control at the intersection of Campbell and Rosslyn.





NOV 12 1990

100

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1990 November 8

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Mr. Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Intersection of Cannon Street East and Glendale Avenue North - removal of the southbound left turn prohibition. (TEC-272-90)

RECOMMENDATION:

- a) That the existing left turn prohibition for southbound motorists on Glendale Avenue at Cannon Street be removed; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

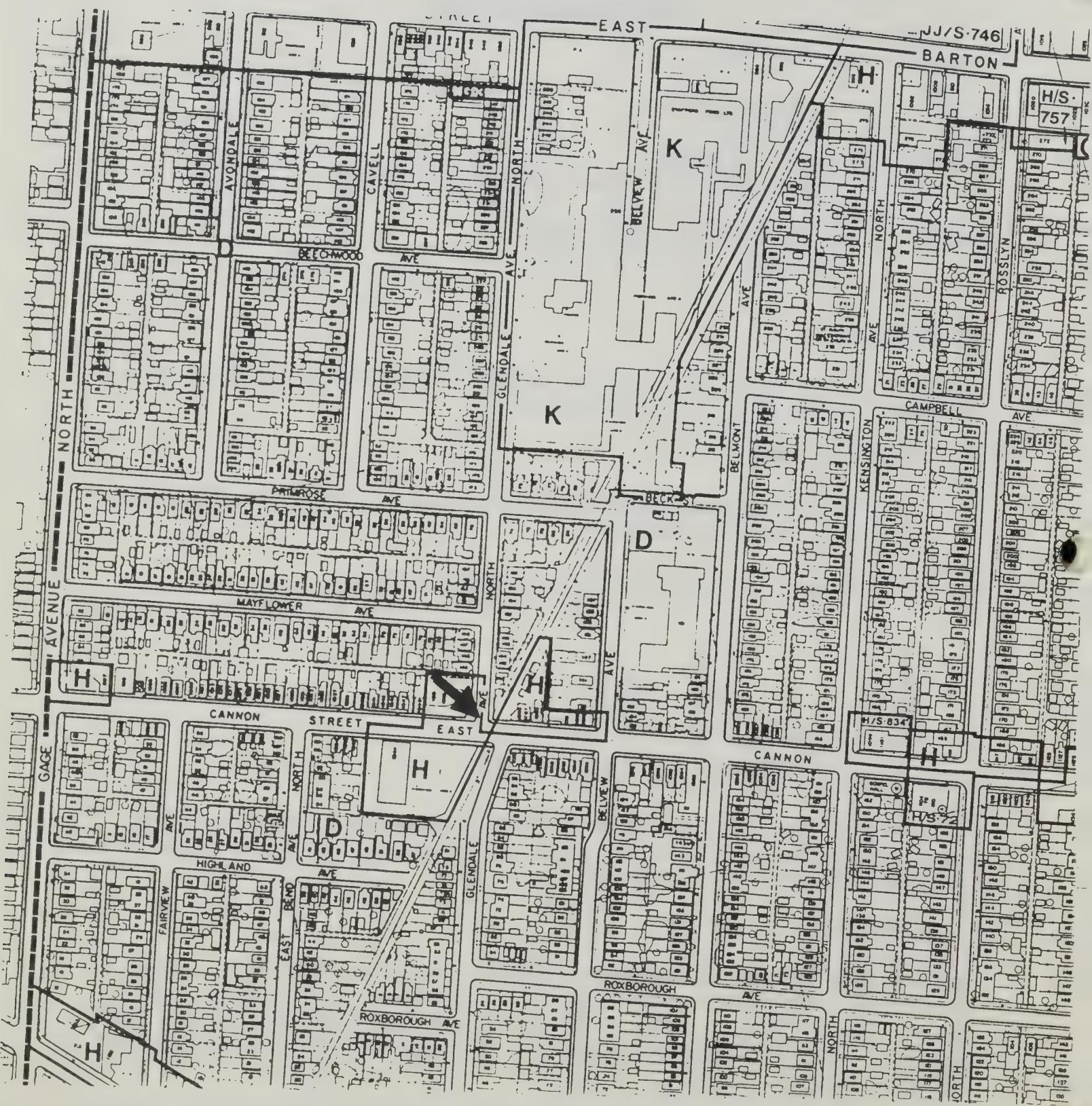
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1990 Traffic Department operating budget to cover the cost of removing the "No Left Turn" signs and for manufacturing, erecting and maintaining additional warning signs at this location.

BACKGROUND:

Alderman Brian Hinkley has asked the Traffic Department to investigate the feasibility of removing the existing left turn prohibition for southbound motorists on Glendale at Cannon. Due to the construction of the new Belview Park, residents wishing to travel south-east out of the neighbourhood must now travel westerly to Gage Avenue and south on Gage to Cannon.

The north and south legs of Glendale Avenue are offset at Cannon Street and the T.H.&B. Railway Line crosses the intersection at a 45 degree angle. The southbound left



turn prohibition was implemented in 1970 in order to eliminate a potentially hazardous situation where a southbound motorist turning left onto Cannon does not observe a southbound train approaching the intersection from the rear.

It has been concluded that the left turn prohibition is overly restrictive, and that it would be appropriate to rescind the left turn prohibition and to erect special warning signs for southbound motorists on Glendale approaching Cannon. Therefore, the Traffic Department concurs with Alderman Hinkley's request.

CORPORATION OF THE CITY OF HAMILTON

ALDERMEN'S OFFICES

MEMORANDUM

NOV - 2 1990

11

TO: *Ms. Tina Agnello, Secretary
Transport and Environment Committee*

FROM: *Alderman Tom Murray
Ward 8*

SUBJECT: *130 Alderson Drive*

OUR FILE:

DATE: *1990 October 30*

Can you please place the attached item on the agenda for the next meeting of the Transport and Environment Committee.

Should you have any questions, please don't hesitate to call me.

*TM:ck
Encl.*

*cc: Alderman Henry Merling, Chairman
Transport and Environment Committee*

Oct 1, 1990

RE: 130 Alderson Drive, Hamilton, Ontario

To whom it may concern:

It is our understanding that due to an agreement between the subdivider and the city, a fence must be installed along the property lines. We would like to have a portion of the fence removed. Specifically, from the street back seven fence posts. This portion of the fence butts along our front lawn. Having a fence in the front of the house serves no useful purpose, and actually has many problems associated with it.

For example, we feel it will reduce our property value in that it is not esthetically pleasing to the eye; fences are typically associated with the backyard not the front; it creates a feeling of being "caged in", which is in contravention to our reason for paying a premium price to have a sense of openness by the creek; the fence will act as a garbage collector when the prevailing winds blow paper etc. against it; in that our property is a pie shape, when we look out our living room window we see the fence which obstructs our view.

Thank you for your consideration in
this matter

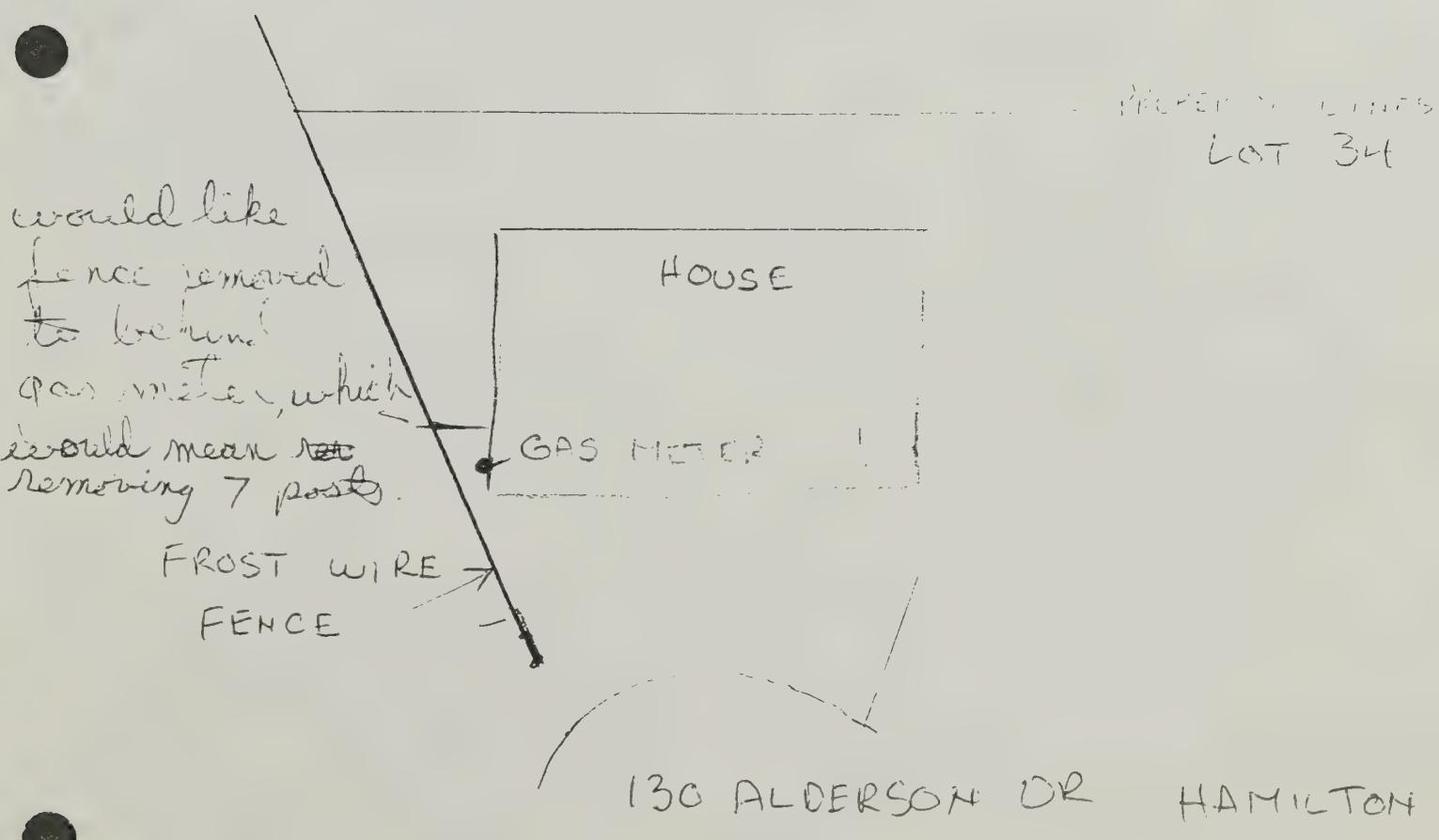
Iona Skeba

Christopher Skeba

70 PARK PLAZA DR.
HAMILTON L8V 5A
388-3766

Building Location

- 130 Alderson Dr
Lot 34 Abbey Hill Farm, P.H. I
Reg. Plan No. 62M-592



Ms. P. Medland
Urban/Municipal Collections
Hamilton Public Library

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

TEL: 546-2700
FAX: 546-2095

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URBAN MUNICIPAL

November 29, 1990

DEC 1 1990

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, December 3, 1990
9:30 o'clock a.m.
Room 233, City Hall

T. Agnello, Secretary
Transport and Environment Committee

AGENDA

DELEGATIONS

A. 10:00 a.m. Mrs. Hayes - Parking on Boulevards

1. Approval of the Minutes of the Meeting held November 19, 1990

2. **CITY SOLICITOR**

Train Whistling - Greenhill Avenue Grade Crossing

3. **MANAGER OF PURCHASING**

Concrete Forms, Public Works Department

4. **DIRECTOR OF PROPERTY**

Offer to Purchase Easement - Hamilton Hydro Electric System -
West Side of Upper Kenilworth Avenue, South of Limeridge Road

5. **DIRECTOR OF PUBLIC WORKS**

"Friends of the Environment Foundation"
Request for Funding for Tree Planting

6. **COMMISSIONER OF ENGINEERING**

- (a) Future Extension of Eaglewood Drive
- (b) Property Acquisition - 874 West Fifth Street
- (c) 1990 Servicing Expenditures Related to Subdivisions
- (d) Inadvertent Encroachment Agreement - 211 Mary Street

7. **DIRECTOR OF TRAFFIC SERVICES**

- (a) Parking on Moxley Drive
- (b) Appointment of Parking Control Officers
- (c) No. 98 Tuxedo Avenue South -
Discharge of Residential Boulevard Parking Agreement
- (d) Carling Street Between Paradise Road and Macklin Street -
Parking Regulations

8. **ALDERMAN V. J. AGRO**

- (a) Fence Request - 201 Bay Street North (Previously Tabled)
- (b) Trial Road Closure - Bay and Markland Streets (No Report)

9. **ALDERMAN T. COOKE**

210 Bay Street North - Alleyway Encroachment (Report to Follow)

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

TRANSPORT AND ENVIRONMENT COMMITTEE

OUTSTANDING ITEMS

<u>ITEM</u>	<u>ORIGINAL DATE</u>	<u>ACTION</u>	<u>STATUS</u>
1. Parking Regulations - West 1st St. between Monarch Rd. and Wembley	May 23, 1990	Ald. T. Murray	Tabled
2. Stop Signs on Greenhill Avenue	August 20, 1990	Mr. M. Main	Pending Report
3. Unlawful Removal of Trees	August 28, 1990	Mr. L. Farr City Solicitor's Office	Pending Report
4. Fence at 201 Bay Street North	September 17, 1990	Alderman Agro	Tabled With Instructions
5. Street Lights on Ravenscliffe Avenue	September 17, 1990	Alderman Agro	Tabled

Dated: November 27, 1990

T. Agnello
Secretary

CITY OF HAMILTON

- RECOMMENDATION -

A.

DATE: 1990 August 21

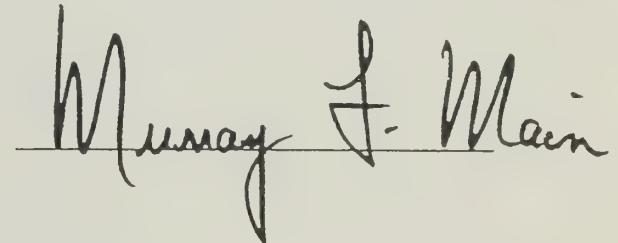
REPORT TO: T. Agnello
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT: Prohibition of Parking on City Boulevards between the Sidewalk and Curb.
[TEC-191-90]

RECOMMENDATION:

That the City Traffic By-law 89-72 be amended to prohibit the parking of vehicles on a City boulevard in the area between the sidewalk and curb.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

As a result of complaints by Alderman Tom Jackson, the Regional Police and Traffic Departments have investigated situations involving motorists parking their vehicles on City boulevards in areas between the sidewalk and roadway curb. Presently, the City Traffic By-law permits the parking of vehicles on any City boulevard, only,

- where a boulevard parking agreement is executed, or,
- in a driveway such that the vehicle does not interfere with the access to an adjacent driveway, or
- in a driveway such that the vehicle is not parked in an area within six feet from the curb and within 60 feet from an intersection.

The Regional Police and Traffic Departments have determined that boulevard parking in the areas between the sidewalk and curb creates several problems, as follows:

- pedestrians, especially young children, attempting to cross the roadway, are not clearly visible to the motorist because of the parked vehicles being parked right out to the curb, and also, the pedestrians do not have a clear view of approaching traffic; and
- the vehicles are frequently parked such that portions of the vehicle overhang the roadway and/or sidewalk thereby obstructing pedestrian movements and creating a hazard for vehicular traffic; and
- parking in these areas obstructs visibility for motorists attempting to enter the roadway from an adjacent intersection, or backing out at adjacent driveways.

The Traffic Department has identified four or five locations in the City where such a practice frequently occurs, and in virtually all of these cases, the abutting residential properties have at least two or more off-street parking spaces in a driveway and/or garage. Frequently, the residents have parked vehicles on the boulevard to allow children to play in the driveway, or are using the garage area for storage rather than parking.

In view of the above, the Traffic Department recommends that the City Traffic By-law be amended to prohibit the parking of vehicles on any City boulevard in areas between the sidewalk and curb. The Traffic Department will also prepare a report respecting this matter for the Engineering Services Committee.

Monday, November 19, 1990
9:30 o'clock a.m.
Room 233, City Hall

1

The Transport and Environment Committee met.

There were present:

Alderman H. Merling, Chairman
Alderman V. J. Agro, Vice-Chairman
Mayor R. M. Morrow
Alderman T. Cooke
Alderman D. Drury
Alderman D. Wilson
Alderman D. Agostino
Alderman V. Formosi
Alderman T. Murray

Also present:

Alderman T. Jackson
Alderman G. Cops
Mrs. B. Price, Hamilton Safety Council
Mr. G. P. Aston, Regional Engineering Department
Mr. R. Meiers, Regional Engineering Department
Mr. J. Pavelka, Director of Public Works
Mr. D. Lobo, Public Works Department
Mr. M. F. Main, Director of Traffic Services
Mr. M. Watson, Manager, Real Estate Division
Mr. J. Sakala, Planning and Development Department
Miss T. Agnello, Secretary

1. **ADOPTION OF THE MINUTES**

The minutes of the Transport and Environment Committee meeting of Monday, November 5, 1990 were adopted as circulated.

2. **COUNCIL REFERRAL**

Letter from the City of Toronto respecting the implementation and enforcement of the Chlorofluorocarbon By-law.

The Committee moved that the correspondence be received.

3. **MANAGER OF PURCHASING**

3.1 **Rental of Snow Removal Equipment and Labour, Public Works Department**

As recommended by the Manager of Purchasing in a report dated November 1, 1990, the Committee recommended to Council as follows:

That a purchase order be issued to Cardeen Construction Limited, Stoney Creek, to provide labour and equipment for snow removal during the 1990-1991 winter season, in accordance with Vendor's quotation, and that this expenditure be financed from various accounts, as follows:

One Rubber Tire Backhoe/Loader	\$ 88 per hour
One Cat Bulldozer	\$120 per hour

Plus applicable taxes

3.2 Concrete Crushing Bernie Court Yard - Public Works Department

As recommended by the Manager of Purchasing in a report dated November 14, 1990, the Committee recommended to Council as follows:

That a purchase order be issued to Northland Bitulithic Limited, Downsview, in the amount of \$35 680, being in only quotation received, for concrete crushing at the Brampton Street Yard for the Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from General Roadway Maintenance Account No. 56398 60168.

NOTE: As the stockpiled concrete must be eliminated to allow for snow dump, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. DIRECTOR OF PROPERTY**4.1 Expropriation of Land Required for the Extension of Berkindale Avenue**

As recommended by the Director of Property in a report dated November 5, 1990, the Committee recommended to Council as follows:

(a) That the Director of Property be authorized to negotiate with the following owners for acquisition of a portion of their lands required for the extension of Berkindale Avenue in order to implement the approved Riverdale East Neighbourhood Plan. The necessary expenditures are to be charged to Account No. CH5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands). Michel Alcid Garon - Part of 891 Queenston Road, Stoney Creek, Debra Ann Garon (which part is in the City of Hamilton)

(b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before February 28, 1991, the City Solicitor be authorized and directed to initiate expropriation proceedings, and, the Director of Property be authorized to retain an independent fee appraiser to prepare and appraisal of market value. The costs are to be charged to Account No. CH5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands).

4.2 Red Hill Creek Flood Plain - Storm Water Control Agreement by Owner to accept Compensation - 265 Charlotte Street - Susan Medeiros

As recommended by the Director of Property in a report dated November 9, 1990, the Committee recommended to Council as follows:

(a) That the "Agreement by Owner to Accept Compensation", executed by Susan Medeiros on November 7, 1990, whereby the owner agreed to accept the amount of \$125 000 as full and final settlement of compensation for the City's expropriation of the lands known as 265 Charlotte Street, be approved and completed.

(b) That the transaction be financed from Account No. CH5X303 00102 (Reserve for Property Purchase).

(c) That the City Solicitor be authorized and directed to complete this transaction.

4.3 **Offer to Purchase (Easement) - Union Gas Limited, City Land -
South Side of Stone Church Road East**

As recommended by the Director of Property in a report dated November 9, 1990, the Committee recommended to Council as follows:

(a) That an Offer to Purchase (Easement) Agreement executed by officials of Union Gas Limited on October 2, 1990 and scheduled for closing on January 8, 1991, for the installation of an NPS 8 Pipe along the southerly limit of Stone Church Road East, east of Upper James Street (236.44 feet x 16.46 feet), be approved and completed. The purchase price of \$1,001.00 is to be credited as follows: \$1 to Account No. 4X999 00107 (Service through unsubdivided lands) and the remaining \$1,000.00 to Account No. CH59050 30001 (Outside Recoveries). The deposit cheque of \$1 is being held by the City Treasurer pending approval of this transaction.

NOTE: The property is composed of Parts 9, 10 and 11 on Plan 62R-8858. Subject parcel having a frontage of 72.074 metres (236.44), more or less, by a depth of 5.184 metres (16.46 feet), more or less.

(b) That the Offer to Purchase (Easement) is subject to the following:

The City reserves the right to grant further easements through Condition 14.

"It is understood and agreed that the Transferor shall reserve unto itself, its heirs, successors, and assigns the irrevocable right to grant such further and other easements as from time to time the Transferor sees fit".

5. **DIRECTOR OF PUBLIC WORKS**

5.1 **Equipment Auction - 1990**

As recommended by the Director of Public Works in a report dated November 13, 1990, the Committee recommended to Council as follows:

(a) That the City of Hamilton should continue with auctioning its depreciated and obsolete vehicles and equipment because significantly more revenue is realized through the auction than through trading in the equipment, and

(b) That the other organizations participating in the auction should share in the expenses of the auction (auction fees, advertising and operator's labour) based on their proportion of the revenue, over the total revenue from the auction.

6. COMMISSIONER OF ENGINEERING**6.1 Proposed Road Allowance Closure**

As recommended by the Commissioner of Engineering in a report dated October 22, 1990, the Committee recommended to Council as follows:

- (a) That Section 47 of the THIRTEENTH Report of the Transport and Environment Committee adopted by City Council on July 31, 1984, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order closing Melissa Street from 15.24 m east of the original centre line of Upper Wellington Street to approximately 58.83 m easterly, be rescinded.
- (b) That the Commissioner of Engineering be directed to prepare a By-law for the stopping up, closing and sale of Melissa Street from 15.24 m east of the original centre line of Upper Wellington Street to approximately 58.83 m easterly.
- (c) That the Commissioner of Engineering be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980.
- (d) That the Director of Property be directed to proceed with the disposition of the said lands.
- (e) That the Commissioner of Engineering register a reference plan under the Registry Act, to delineate the manner in which the closed road allowance is to be distributed to the abutting owner.
- (f) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and
- (g) That the City Solicitor make application to the Ministry of Housing under Section 298 (11) of the Municipal Act for approval of the By-law.

6.2 Banner Display Application

As recommended by the Commissioner of Engineering in a report dated October 30, 1990, the Committee recommended to Council as follows:

That the Hamilton and District Dental Hygiene Association be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, October 19, 1992 to Monday, October 26, 1992, with the following message:

NATIONAL DENTAL HYGIENE WEEK

6.3 Inadvertent Encroachment Agreement

As recommended by the Commissioner of Engineering in a report dated October 30, 1990, the Committee recommended to Council as follows:

- (a) That the authorization granted by City Council on March 27, 1990 in adopting Section 6 of the FIFTH Report of the Transport and Environment Committee be rescinded.
- (b) That the application of Rouben Gharabegian, owner of 438 Dundurn Street South to retain the inadvertent encroachment consisting of a balcony measuring 3.2' x 4.5', and a portion of the building measuring 0.9' x 46.8' on the road allowance of Glenside Avenue be approved provided:
 - i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - ii. That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - iii. That the Mayor and City Clerk, be authorized to sign and execute all necessary documents to implement this agreement.

6.4 Revised Wheelchair Ramp Standard

As recommended by the Commissioner of Engineering in a report dated October 30, 1990, the Committee recommended to Council as follows:

That the revised Wheelchair Ramp Standard Drawing RHS 312 attached hereto as Schedule "A", be adopted as the standard wheelchair ramp design on City Projects.

6.5 Road and Sidewalk Capital Reconstruction Programme

Mr. Aston gave an overview of the report and explained that the report is before the Committee because the budget is usually approved in March which causes delays in construction. This report will allow for the contract to be tendered sooner and engineering to be conducted so that the works are completed by November. Streets are chosen on the basis of their condition and their potential to be conducted with other works such as sewer construction.

The Committee endorsed the following requests of its members:

That the Scenic Drive retention dam be reviewed.

That Arthur Avenue North be considered as a priority.

That a re-evaluation of the Binkley Crescent widening and a review of the methods used to advise people regarding tree removal be conducted.

A discussion ensued regarding blacktopping of roads.

After brief discussion, the Committee approve the following recommendation of the Commissioner of Engineering in a report dated November 7, 1990 to Council:

- (a) That a proposed widening from 7.3 metres to 8.5 metres of Rodgers Road from King Street to Central Avenue, Balmoral Avenue from Main Street to King Street and Binkley Road from Main Street West to Sanders Boulevard be advertised under Section 301 of the Municipal Act and the necessary alteration By-law be prepared by the City Solicitor and the City Clerk;
- (b) That the proposed 1991 Road and Sidewalk Capital Reconstruction Programme in the amount of \$9,400,000.00, be received.
- (c) That the Committee request the approval of the Finance and Administration Committee to spend up to \$4,000,000.00 of the proposed \$9,400,000.00 1991 Road and Sidewalk Capital Reconstruction Programme to allow for tendering and construction to occur prior to the final budget approval.
- (d) That the Commissioner of Engineering be authorized to undertake the works on behalf of the City of Hamilton once all necessary approvals have been received.

*Alderman Agostino was opposed to the motion.

7. DELEGATIONS

A. **Lot Line Dispute - 51 Algonquin Court and 55 Algonquin Court**

Solicitor David Elliot representing Mr. Lukicek and his father of 55 Algonquin Court, and Mrs. Bukovscak and her father of 51 Algonquin Court were present to review the lot line situation.

The owner at 55 Algonquin Court constructed a driveway approach partially on the City road allowance and also onto the property of 51 Algonquin Drive. There is presently a hydro pole on the City road allowance in front of 55 Algonquin Court which prohibits the driveway to be built entirely in front of 55 Algonquin Court.

Mr. Main advised the Committee that a solution to this matter would be to move the hydro pole onto 51 Algonquin Court directly abutting the extended property line common to the two properties. This would be done at Hamilton Hydro's expense.

After some discussion, the Committee approved the recommendation of the Director of Traffic Services in a report dated November 13, 1990, as amended, as follows:

- (a) That the Committee request Hamilton-Hydro to relocate, at their cost, the hydro pole in front of No. 55 Algonquin Court to a point on the No. 51 Algonquin Court side six inches from the extended property line common to the two properties, and
- (b) That the Committee approve the extension of the existing driveway at No. 55 Algonquin Court, southerly by up to 3.8 m for a total driveway width of up to 5.5 m, at the expense of the owner at No. 55 Algonquin Court.

B. Parking Regulations on Moxley Drive

Mrs. Woodcock of 914 Mohawk Road East, Unit 11 was present to express her displeasure at parking regulations in the vicinity of her townhouse which does not allow parking on the street for a period of more than 1 hour.

After brief discussion, the Committee moved to table the matter pending a report from the Director of Traffic Services.

6. COMMISSIONER OF ENGINEERING (Continued)**6.6. Region of Halton - Gypsum Waste Recycling**

As recommended by the Commissioner of Engineering in a report dated November 8, 1990, the Committee recommended to Council as follows:

That the City of Hamilton support and endorse the Region of Halton resolution regarding Gypsum Waste Recycling dated Wednesday, August 22, 1990.

6.7 Temporary Street Closure

As recommended by the Commissioner of Engineering in a report dated November 9, 1990, the Committee recommended to Council as follows:

That the action of the Commissioner of Engineering be confirmed in authorizing the application of the Hamilton Hydro Electric System to temporarily close, Ferguson Avenue South between King Street East and King William Street, on Saturday, November 17, 1990 from 8:00 a.m. to 4:00 p.m. in order to install a hydro duct, for the Canadian National Railway, subject to the following conditions:

- (a) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department if deemed appropriate on the affected roadways, at the expense of the applicant;
- (b) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- (c) That the applicant provide proof of \$1,000,000.00 public liability insurance, naming the City as an added insured party with a provisions for cross liability, and holding the City harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss.
- (d) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department and any other agency for any costs incurred by these agencies as a result of this closure;
- (e) That no property owner or resident within the barricaded area be denied access to their property if requested.
- (f) That all property owners and tenants along the closed portion of the road be notified of the proposal by the applicant at least one week prior to the event in a form acceptable to the Commissioner of Engineering.

6.8 Transfer of Additional Funds - Railway Crossing Signal Maintenance

As recommended by the Commissioner of Engineering in a report dated November 9, 1990, the Committee recommended to Council as follows:

- (a) That an additional amount of \$25,000.00 be provided in the 1990 Current Budget, Railway Crossing General Maintenance Account No. CH57408 52010.
- (b) That this amount be transferred from the Railway Crossing Specific Maintenance Account No. CH57409 51010.
- (c) That the Acting Commissioner of Engineering be authorized to issue the necessary purchase order on behalf of the City of Hamilton to CP Rail.

6.9 Incorporating Certain City Lands into Various Streets by By-law

As recommended by the Commissioner of Engineering in a report dated November 12, 1990, the Committee recommended to Council as follows:

- (a) That the following City lands be incorporated into the various Streets:

Rexford Drive	Block 56, Plan 62M-384
Rexford Drive	Parts 4 & 6, Plan 62R-10808
Atherley Drive	Part 2, Plan 62R-10808
Bow Valley Drive	Block 52, Plan 62M-357
Limeridge Road	Part 3, Plan 62R-8668
- (b) That the By-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.
- (c) That the Commissioner of Engineering be authorized and directed to register the By-laws.

7. DIRECTOR OF TRAFFIC SERVICES AND CITY SOLICITOR**7.1 No. 97 Pearl Street - Request for Driveway Approach Approval**

As recommended by the Director of Traffic Services and the City Solicitor in a report dated November 9, 1990, the Committee recommended to Council as follows:

That the construction of a 13 foot driveway approach located at 97 and 101 Pearl Street North to accommodate residential parking on site for 97 Pearl Street North be approved, subject to the registration of an agreement which is in a form satisfactory to the City Solicitor.

8. DIRECTOR OF TRAFFIC SERVICES**8.1 Request for a School Crossing Guard**

As recommended by the Director of Traffic Services in a report dated November 9, 1990, the Committee recommended to Council as follows:

That a School Crossing Guard not be assigned to the intersection of Main Street East and London Street.

8.2 Relocation of a School Crossing Guard

As recommended by the Director of Traffic Services in a report dated November 8, 1990, the Committee recommended to Council as follows:

That the existing supervised school crosswalk on Britannia Avenue, west of Barons Avenue, be relocated approximately 50 feet easterly to the west crosswalk of the intersection of Barons Avenue and Britannia Avenue.

**8.3 Erection of a Special Street Name Signs in
Downtown Business Improvement Association**

As recommended by the Director of Traffic Services in a report dated October 4, 1990, the Committee recommended to Council as follows:

- (a) That the style of special street name submitted by the Downtown B.I.A. as illustrated in the drawing appended hereto as Schedule "B", be approved and;
- (b) That the City of Hamilton Traffic Department be authorized to install and maintain the special street name signs as provided by the B.I.A. on Mary, Catharine and Hughson from Main to King William, and on MacNab from Main to King, and on King William from James to Mary.

9. PARKING REGULATIONS

Pursuant to recommendations in various reports submitted by the Director of Traffic Services, the Committee recommended to Council that By-law No. 89-72 be amended as follows:

- 9.1 (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Royal Avenue between Emerson Street and Leland Avenue.
- 9.2 (b) That parking be prohibited on the north/west side of Bay Street North between Burlington and Wood Streets.
- 9.3 (c) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day 7 days a week" regulation be implemented on both sides of Markland Street between Bay Street South and Park Street South/Chilton Place.
- 9.4 (d) That the existing "Permit Parking, 24 hours a day, 7 days a week" regulation on the east side of Springer Avenue between Maplewood Avenue and Main Street East be replaced with a "Permit Parking, 24 hours a day, Monday to Saturday" regulation.
- 9.5 (e) That one parking meter be removed and that parking be prohibited on the east side of Hess Street South from a point 81 feet south of King Street West to a point 31 feet southerly therefrom; and

10. **INTERSECTION CONTROL**10.1 **Brucedale Avenue and Rendell Boulevard**

As recommended by the Director of Traffic Services in a report dated November 8, 1990, the Committee recommended to Council as follows:

- (a) That a four-way stop control be implemented at the intersection of Brucedale Avenue and Rendell Boulevard; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

10.2 **Campbell Avenue and Rosslyn Avenue North**

As recommended by the Director of Traffic Services in a report dated November 1, 1990, the Committee recommended to Council as follows:

- (a) That a four-way stop control be implemented at the intersection of Campbell Avenue and Rosslyn Avenue North; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

10.3 **Cannon Street East and Glendale Avenue North**

As recommended by the Director of Traffic Services in a report dated November 8, 1990, the Committee recommended to Council as follows:

- (a) That the existing left turn prohibition for southbound motorists on Glendale Avenue at Cannon Street be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

11. **ALDERMAN T. MURRAY**

**Request for Fence Removal -
Mara and Christopher Skeba - 70 Plank Plaza Drive**

Upon the request of Alderman Murray, this item was withdrawn from the agenda.

12. **OTHER BUSINESS**

12.1 Alderman Murray introduced an item regarding parking regulations on Sanatorium Road from Scenic Drive to the West end.

The Director of Traffic Services explained that at present a hazardous situation exists since cars are parked on the shoulder of both sides of the road.

After brief discussion, the Committee passed the following motion for Council's consideration.

- (a) That parking be prohibited on both sides of Sanatorium Road from Scenic Drive to the West End.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

13. **ADJOURNMENT**

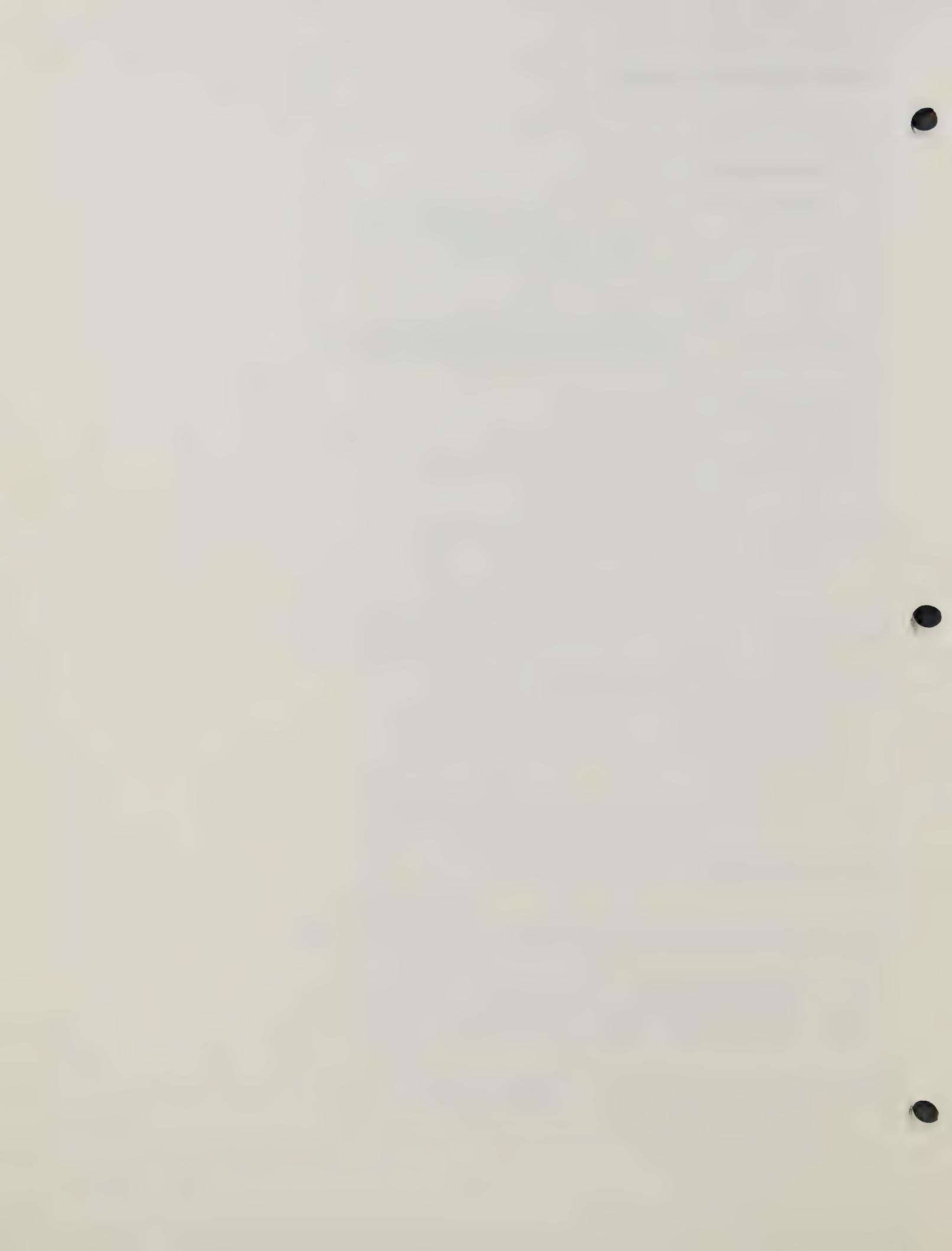
There being no further business, the Committee meeting then adjourned.

Taken as read and approved,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Tina Agnello, Secretary

November 19, 1990



2.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 27

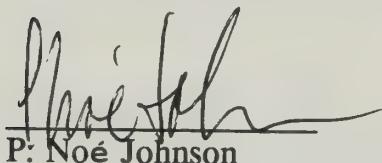
REPORT TO: Miss Tina Agnello, Secretary
Transport and Environment Committee

FROM: P. Noé Johnson,
City Solicitor

SUBJECT: Train Whistling - Greenhill Avenue Grade Crossing

RECOMMENDATION:

That the attached by-law be enacted by City Council.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

With the adoption of Section 9 of the 14th Report of the Transport and Environment Committee, City Council at its meeting held on the 30th day of October 1990, recommended that the City Solicitor prepare the necessary by-law requesting CP Rail to stop train whistling at the grade crossing situated at Greenhill Avenue, Hamilton- CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, 31.99, Welland Subdivision).

Based on further discussions between CP Rail and ourselves, we have revised the attached by-law,

- (1) to prohibit CP Rail from train whistling at this grade crossing instead of merely requesting CP Rail to do this, and
- (2) to make the coming into force of this by-law conditional on the granting of the City's application to the National Transportation Agency for an order to require CP Rail to stop train whistling at this grade crossing.

c.c. Mr. E. M. Gill,
Acting Commissioner of Engineering
Attention: Mr. G. P. Aston,
Manager of Transportation

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

**TO PROHIBIT CANADIAN PACIFIC LIMITED FROM TRAIN WHISTLING
AT MILEAGE 51.90 FORT ERIE SUBDIVISION**

WHEREAS Rule 14 (L) of the Uniform Code of Operating Rules, C.R.C. 1978, c. 1175, as amended, requires Canadian Pacific Limited to sound their train whistles at public grade crossings:

AND WHEREAS Subsection 230(1) of the Railway Act, R.S.C. 1985, c. R-3, as amended by Section 94 of the Railway Safety Act, R.S.C. 1985, Chapter 32, 4th Supplement, provides as follows:

230. (1) The Commission may make orders and regulations generally providing for the accommodation and comfort of the public in the running and operating of trains:

AND WHEREAS the sounding of train whistles at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision), is causing a nuisance and discomfort to the residents of Hamilton living near the crossing:

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 9 of the 14th Report of the Transport and Environment Committee on the 30th day of October 1990, authorized the preparation of a by-law prohibiting Canadian Pacific Limited from sounding their train whistles at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision).

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton hereby prohibits Canadian Pacific Limited from sounding their train whistles at the grade crossing situated at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision).

2. This by-law shall come into force if and only when the National Transportation Agency grants the application of The Corporation of the City of Hamilton, for an order requiring Canadian Pacific Limited to stop sounding their train whistles at the grade crossing referred to in Section 1.

PASSED this day of

A.D. 1990

City Clerk

Mayor

3

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 27

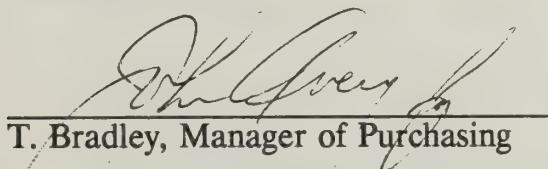
REPORT TO: Ms. T. Agnello, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: CONCRETE FORMING ACCESSORIES, PUBLIC
WORKS DEPARTMENT

RECOMMENDATION:

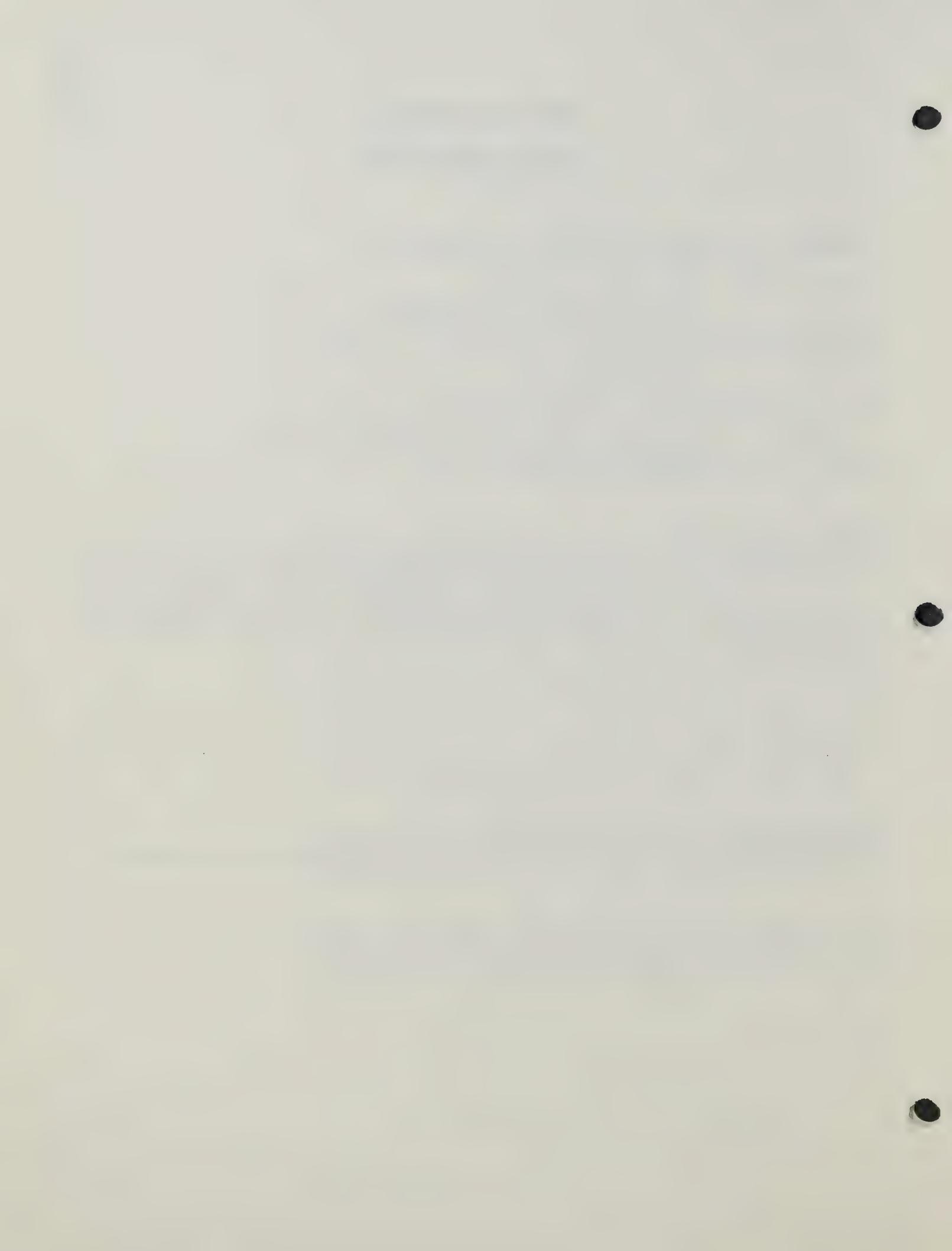
That a purchase order be issued to Form & Build Supply Inc., Kitchener, in the amount of \$10 805.35, being the only supplier available, to supply and deliver Concrete Forming Accessories for the Public Works Department, in accordance with Vendor's Quotation, and that this expenditure be financed from General Roadway Maintenance Account No. CH60168 56103.


T. Bradley, Manager of Purchasing

FINANCIAL STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

Quotations have been called over the past two years and this is the only supplier to respond.



4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1990 November 23

REPORT TO: Miss Tina Agnello, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase Easement - Hamilton
Hydro Electric System
- West side of Upper Kenilworth Avenue
south of Limeridge Road

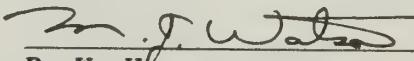
RECOMMENDATION:

a) That an Offer to Purchase Easement Agreement executed by officials of Hamilton Hydro Electric System on November 12, 1990 and scheduled for closing on or before February 18, 1991, for the purchase of an easement for the lands on the west side of Upper Kenilworth Avenue south of Limeridge Road to maintain an existing underground manhole duct and cable system, be approved and completed.

The purchase price of \$501.00 is to be credited to the following accounts:

\$1.00 to Account No. CH 4X501 00102 (Sale of Land Property Purchases) and \$500.00 to Account CH 59050 30001 (Outside Recoveries). A deposit cheque in the amount of \$50.00 is being held by the City Treasurer pending approval of this transaction.

Note: Subject property fronts along the westerly limit of Upper Kenilworth Avenue and is shown as Part 1 and Parts 13-30 inclusive, together with a right-of-way over Part 31.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

Subject property has been deemed surplus to municipal requirements. It will be sold to the abutting owners on Solomon Crescent, but the easement to Hamilton Hydro must be in place prior to disposal of these lands to the abutting owners.

Attach.

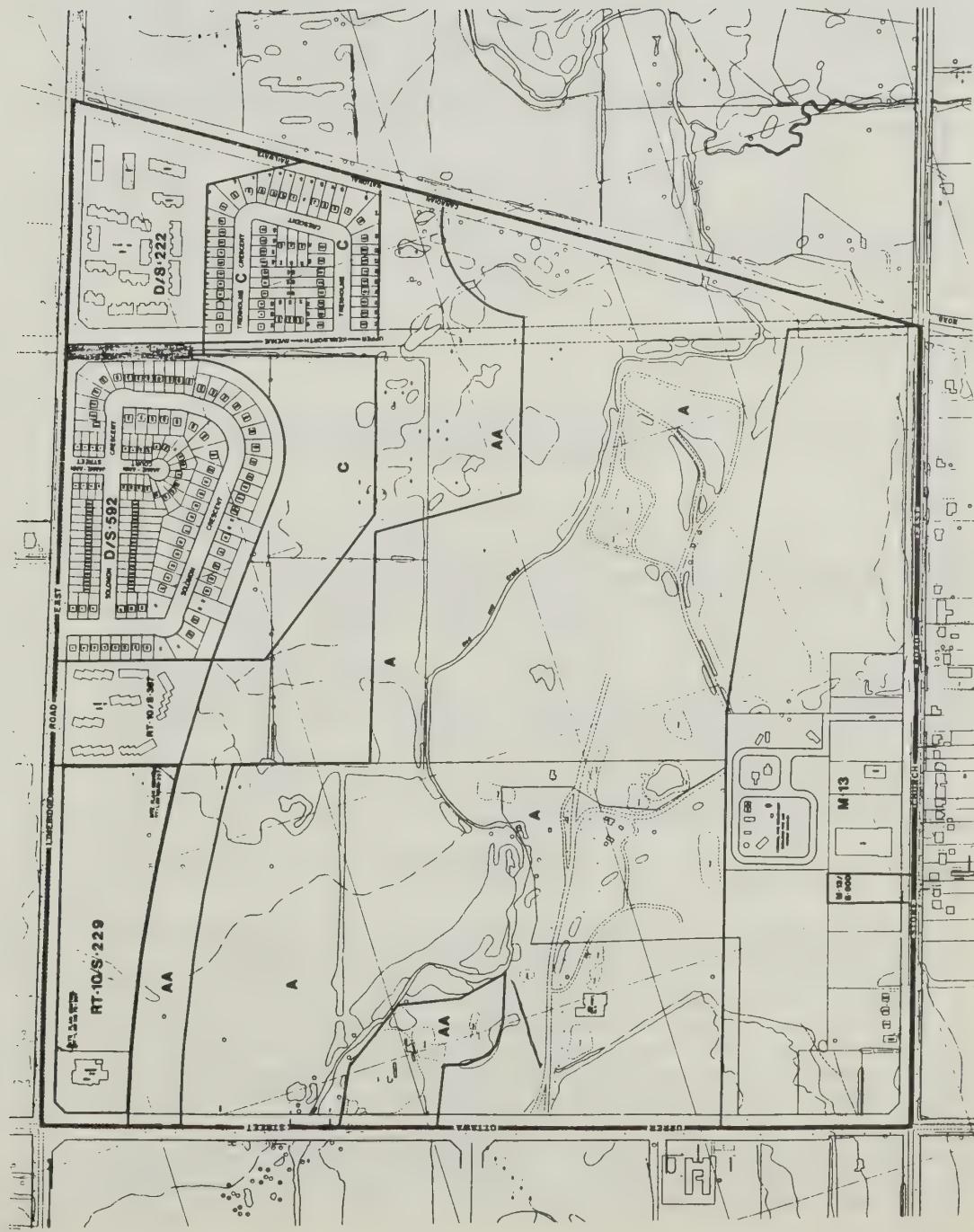
c.c. - Mrs. P. Noé Johnson, City Solicitor
- Mr. E. C. Matthews, Treasurer
- Mr. R. Douglas, Manager of Field Surveys
- Mr. T. Gill, Acting Commissioner of Engineering
Attention: Mr. D. Christilaw

(1.3.294 - 4509)

CITY OF HAMILTON		
TRENHOLME		
ZONING		
11	87	81
110	131	6
129	120	62

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

Neighborhood Boundary
Zoning Boundary
Proposed for The City of Hamilton
Planning Department
7408 1400 1600 1311



OFFER TO PURCHASE

(EASEMENT)

I/We Hamilton Hydro Electric System of the City of Hamilton,

in the Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase an easement for the purpose of maintaining existing underground manhole, duct and cable system,

which easement shall be all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 3, Concession 7, formerly in the Geographic Township of Barton, now in the City of Hamilton and part of Block A, Plan M-235. Subject property fronts along the westerly limit of Upper Kenilworth Avenue and is shown on Plan RBH-427 as Part 1 and Parts 13 to 30 inclusive, together with a right-of-way over Part 31.

Forming part of this Offer to Purchase (Easement) are Schedule(s) A attached hereto.

at the price of FIVE HUNDRED AND ONE ----- DOLLARS (\$501.00) of lawful money of Canada, payable as follows, in accordance with the attached Schedule "A": -

- (a) A deposit of FIFTY ----- DOLLARS (\$50.00) by certified cheque payable to the Vendor.
- (b) The balance of the purchase price namely FOUR HUNDRED AND FIFTY-ONE ---- DOLLARS (\$451.00) with interest as hereinafter provided, and subject to adjustments, by certified cheque on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 18th day of December 1990, by a letter mailed or delivered to the Purchaser at 55 John Street North, Hamilton, Ontario, L8N 3E4.
2. In the event that this Offer is not accepted, this offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned to the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed until the date of January 18th, 1991 to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.

7. This transaction shall be closed on or before the 18th day of February, 1991.
8. On the closing of this transaction, the Vendor will convey the said easement to the Purchaser by a good and sufficient grant thereof, free and clear of all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said easement to the Purchaser.
9. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
10. In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 7 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
11. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
12. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under the Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at Hamilton this 12th day of November 1990.

SIGNED, SEALED AND DELIVERED)

in the presence of)

) C.K. Earle (Seal)

) C.K. Earle, General Manager & Secretary

) (Seal)

) (Seal)

L. Kimberley

Name of Purchaser's Solicitor Simpson, Wigle

Address of Purchaser's Solicitor 120 King Street West, Suite 1030, Hamilton L8P 4V2

SCHEDULE "A"

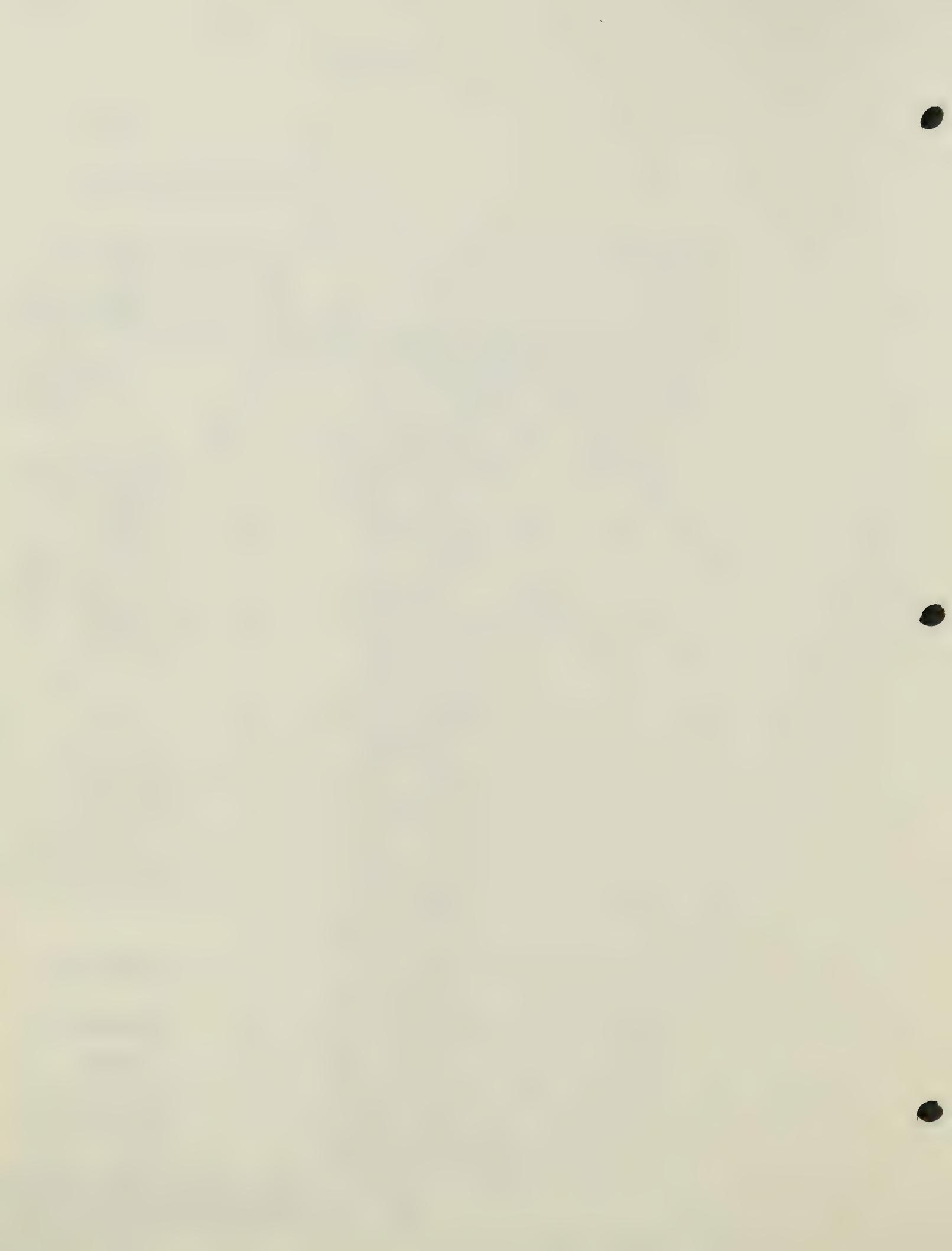
Property

Property shown as Part 1 and Parts 13 to 30
inclusive together with a right-of-way over
Part 31, Plan RBH-427

Market Value of Easement	\$1.00
Administration Costs	<u>\$500.00</u>
Total	<u>\$501.00</u>

DATED at Hamilton this 12th day of November, 1990.

C.K. Earle
C.K. Earle, General Manager & Secretary



FOR ACTION

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

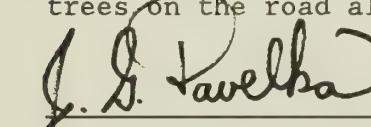
FROM: Mr. J. G. Pavelka, P.Eng.
Director of Public Works

DATE: 1990 November 21
COMM FILE:
DEPT FILE:

SUBJECT: "Friends of the Environment Foundation"
Request for Funding for Tree Planting

RECOMMENDATION:

That an application be submitted to Canada Trust's "Friends of the Environment Foundation", requesting \$10,000.00 to fund additional tree planting of bare root trees on the road allowances.


J. G. PAVELKA, P.ENG.
DIRECTOR OF PUBLIC WORKS

BACKGROUND:

Canada Trust customers and Canada Trust have created a unique effort titled "Friends of the Environment Foundation", a charitable non-profit foundation, whereby local donations are collected to help fund environmental initiatives benefitting the local community.

Funding can be for initiatives:

- to preserve, protect, restore or improve the natural environment and reserves of local communities, including supporting research;
- to educate and foster an awareness in local communities of the value of the natural environment and resources;
- to encourage local community participation in the reduction of waste and promotion of recycling.

Attached is a copy of their "Request for Funding" form.

In September, 1990 the attached report titled "Tree Planting On Road Allowances" was submitted advising that due to increased environmental awareness, there has been a significant increase from the public requesting the City to plant trees on the road allowance in front of their residence.

Normally the City advertises, twice a year, once in the spring and once in the fall to obtain lists of residents who would like trees planted on the road in front of their residence. This past spring, the City received sufficient requests that it will take this fall's planting, next spring's planting and into next fall's (1991) to deal with those requests.

Therefore to cope with this extraordinarily high demand, additional funding for bare root tree planting is desirable. Recognizing that Canada Trust has indicated that "funding can be for initiatives to improve the natural environment and resources of local communities", staff are of the opinion that an application should be made for \$10,000.00, so that an additional 100 trees may be planted in next year, 1991.

JGP/cf

enc.

cc: D. Lobo, Manager of Parks
J. Pook, Horticulturist

Working for the Environment, Together



Canada Trust
The Home of friendly Service



70-777 (0990)

Canada Trust customers and Canada Trust
are working together to make a difference
in our community through the Friends
of the Environment.

You're invited to join in!

Friends of the Environment Foundation

Canada Trust has set up the non-profit Friends of the Environment Foundation with chapters in cities and towns, right across Canada. Each local chapter finances such environmentally friendly initiatives in their community as planting trees, cleaning streams, educating people - whatever helps locally. Ask at your branch for chapters in your area.

Foundation funding comes from both present and new Canada Trust customers, and Canada Trust.

Customers voluntarily participate in their local chapter by designating their personal savings and chequing accounts "green". Canada Trust gets things started by donating \$5 for each customer doing so. Up to \$1 million will be donated for new sign-ups, each calendar year.

"Green" accounts automatically contribute 1¢ per \$1 of interest earned each month to their local chapter. These donations are recorded in your passbook or statement. Canada Trust matches such donations, up to \$2 million nationally, each calendar year.

For example, if you earn interest of \$50 in a month, 50¢ would go to your local chapter from you, and from Canada Trust, so the chapter gets \$1 in total. This is repeated for all participants each month, so pennies soon add up to thousands of dollars. A tax receipt is issued for accumulated donations over \$10 each calendar year. You can stop your donations at any time by merely advising your branch.

Local Action and Control

The Friends of the Environment Foundation's constitution ensures that no funds are used to pay for administrative staff, and that all funds donated to a local chapter are spent by that chapter's advisory board. Board members must be donors to the local chapter.

What's Good and What's Not Newsletter
If you choose to, you can also subscribe for \$10 annually, to a quarterly newsletter that's chock full of information and practical tips on what's environmentally friendly and what's not.

You're Invited to Join In

If you're not a Canada Trust customer, this is a warm and wide open invitation to visit us. We offer full financial service when it's convenient for you - 8 to 8 Monday to Friday and 9 to 5 Saturdays. Canada Trust is one of the nation's largest and strongest financial institutions - the independent Canadian and Dominion Bond Rating Services have judged us more financially secure than five of the big six banks.



Our customers care about the environment. And yes, Canada Trust is interested in doing more business,

however, we also care. Friends of the Environment combines business and caring.

It isn't the only answer, but it's doing something positive. Joining your local chapter is one way to help in your community. Let's work for our environment, together!

Friends of the Environment Foundation

Our customers told us they're very concerned about the environment. And, while personally doing positive things to help, they'd like to do more. The result is this unique joint effort by Canada Trust customers and Canada Trust. The Friends of the Environment Foundation (FEF) is a charitable, non-profit foundation. Local donations are all used to help fund environmental initiatives benefitting the local community. Funding can be for initiatives ...

- to preserve, protect, restore or improve the natural environment and resources of local communities, including supporting research;
- to educate and foster an awareness in local communities of the value of the natural environment and resources;
- to encourage local community participation in the reduction of waste and promotion of recycling.

The Canada Trust Company acts as "Trustee" for all donations.

Group requesting funds _____

Date of application _____ **Amount requested \$** _____

Group Contacts

Name _____

Address _____

Phone (Home) _____ (Bus.) _____

Name _____

Address _____

Phone (Home) _____ (Bus.) _____

Details of your project _____

Have you done any research on your project's environmental benefits?

Please give details _____

How will the funds you're requesting be used?

Are you receiving funding from other sources?

If so, how much, from whom, and how are their funds being used?

Are you a registered charity? Yes No

If so, please indicate number and registered name _____

Have you determined if approval from local/provincial/federal governments is necessary for your project?

Please give details _____

Who might be effected negatively by your project?

How many people are involved in your project? _____

When do you expect to begin and complete this project? _____

Other comments you feel would help assist us in considering your application.

FOR ACTION

5.

SER 24 1990

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Mr. J. G. Pavelka, P.Eng.
Director of Public Works

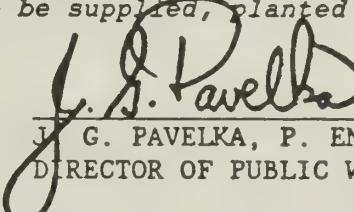
DATE: 1990 September 24
COMM FILE: 3-14.1
DEPT FILE: 90-6075

SUBJECT: Tree Planting on Road Allowances

RECOMMENDATION:

That an expansion of the appropriation for tree planting by \$10,000 from \$92,200 to \$102,200 be considered during the 1991 Current Budget deliberations to respond to the citizens' requests and increase the number of trees being planted annually from 920 to 1,020 by the City along municipal road allowances.

That both School Boards be requested to create an activity within their respective budgets to provide for trees on school board properties and to respond to teachers' requests for trees to be supplied, planted and maintained.



J. G. PAVELKA, P. ENG.
DIRECTOR OF PUBLIC WORKS

FINANCIAL IMPLICATIONS

A \$10,000 increase over the \$92,200 appropriation would mean an 11% increase.

BACKGROUND:

Annually the City of Hamilton plants a significant number of trees on municipal road allowances in response to residents' requests. Approximately 1,000 trees, not including subdivisions, will be planted this year, 1990.

This program has proven to be particularly attractive. Already today, the Public Works Department has so many requests, it will take this fall's tree planting and the spring and most of the fall of 1991 to respond to these requests.

The following table outlines the appropriations for bare root tree planting over the past 5 years.

YEAR	APPROPRIATION	% INCREASE
1986	\$62,000	
1987	\$79,700	+28.5%
1988	\$83,900	+ 5.3%
1989	\$88,100	+ 5.0%
1990	\$92,200	+ 4.7%
1991	*102,200	+10.6%

BACKGROUND (CONT'D)

To respond to the overwhelming request for trees to be planted, it appears appropriate to consider increasing the appropriaition for tree planting next year, 1991. Accordingly, an expansion package will be prepared for the Committee's consideration.

Boards of Education

Compounding the City's job in planting trees on the road allowance and in City parks is the fact that neither of the school boards have a formal tree planting program for school board properties. Alternatively, if they do have a program it is very limited.

Consequently, it is not unusual to have school teachers from various schools asking the City of Hamilton's Public Works Department to supply and plant trees for school initiatives such as Arbour Day. On other occasions when school teachers want to present environmental issues to their students involving trees, the Boards of Education staff knowing that their budgets can't supply the stock being requesting, advise the school teachers to contact the Public Works Department.

More recently, this problem has been even further amplified because local residents, wanting to see trees planted by the school have contacted the specific principals to pursue this idea. In turn the Board of Education staff again knowing that they do not have sufficient budget have approached the City's Public Works Department to supply and plant trees.

Aside from supplying and planting trees, it is important that the trees be watered regularly initially to promote growth. On this basis, there is some additional maintenance funding required during at least the first year. Incidentally, this problem of watering the trees is considerably easier for the individual school superintendents who have access to water on site than for the Public Works Department, who would have to bring in a water truck to water the stock.

Tree planting on school board properties is further complicated because of the children weaving in and out of the newly planted trees. It is possible to overcome this hurdle by properly planning where and how the trees are planted.

In conclusion, as the City of Hamilton is trying to increase the number of trees and by continuing with its tree planting programs along the road allowances and within City parks, it appears reasonable to ask both School Boards to strike a similar activity within their respective budgets to provide trees on school board properties and to respond to their own school teachers' requests for trees to be supplied, planted and maintained.

JGP/rb

cc B. Chrystian, Manager of Parks
J. Pook, Horticulturist

6a

F O R A C T I O N

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: November 7, 1990
COMM FILE:
DEPT FILE: E220-0501

SUBJECT:

Future Extension of Eaglewood Drive

RECOMMENDATION:

That the Director of the Property Department be authorized to enter into negotiations with the Salvation Army for the purchase of the lands required to establish the future extension of Eaglewood Drive, east of Eleanor Avenue.



E. M. Gill, P.Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS:

N/A

BACKGROUND:

The Salvation Army owns land on the east side of Eleanor Avenue in the Eleanor neighbourhood (see sketch). The north portion of Eaglewood Drive terminates at the south east corner of their lands separated by a one foot reserve. Since this site is serviceable at this time and is not regulated by any type of agreement, the City has no vehicle for voluntary land dedication for highway purposes, therefore we are requesting that City Council authorize that negotiations be entered into for the future purchase of lands required. To preserve the integrity of the approved plan for the internal ring road within this neighbourhood, it is necessary for the City to purchase land for the extension of Eaglewood Drive to Eleanor Avenue as a city street.

Cont'd ...

-Page 2-
November 7, 1990

Future Extension of Eaglewood Drive

Cont'd ...

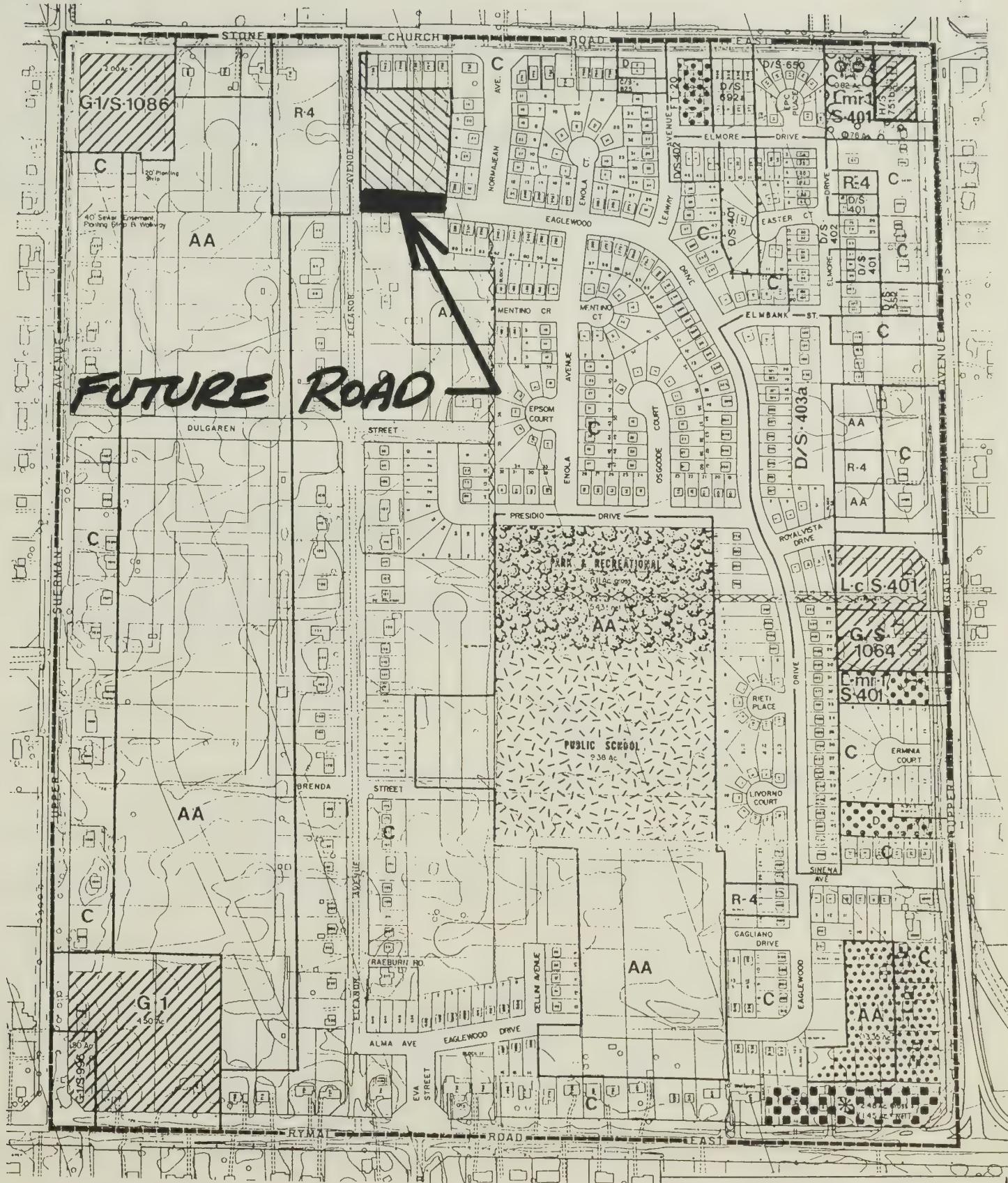
The services for this street are expected to be provided in the next few years as the sewers are installed to provide an outlet for undeveloped lands in this neighbourhood.

Since Eleanor Avenue is to be closed at Stone Church Road at sometime in the future, access to Stone Church Road would be more restrictive for some homeowners in the future. The establishment in the future of Eaglewood Drive would allow for the normal development of single family lots allowed under the current zoning when services are provided. Failure to establish this road may result in an area unsuitable for normal single family development. Thus reducing the total number of lots a developer would expect to create from their lands.

Once negotiations have reached a satisfactory level for both parties, our Department will report back to the Transport and Environment Committee recommending the purchase, the purchase price and the source of funding.

PS:ccc

cc: Property Department, Att: M. Watson



"KEY
PLAN"

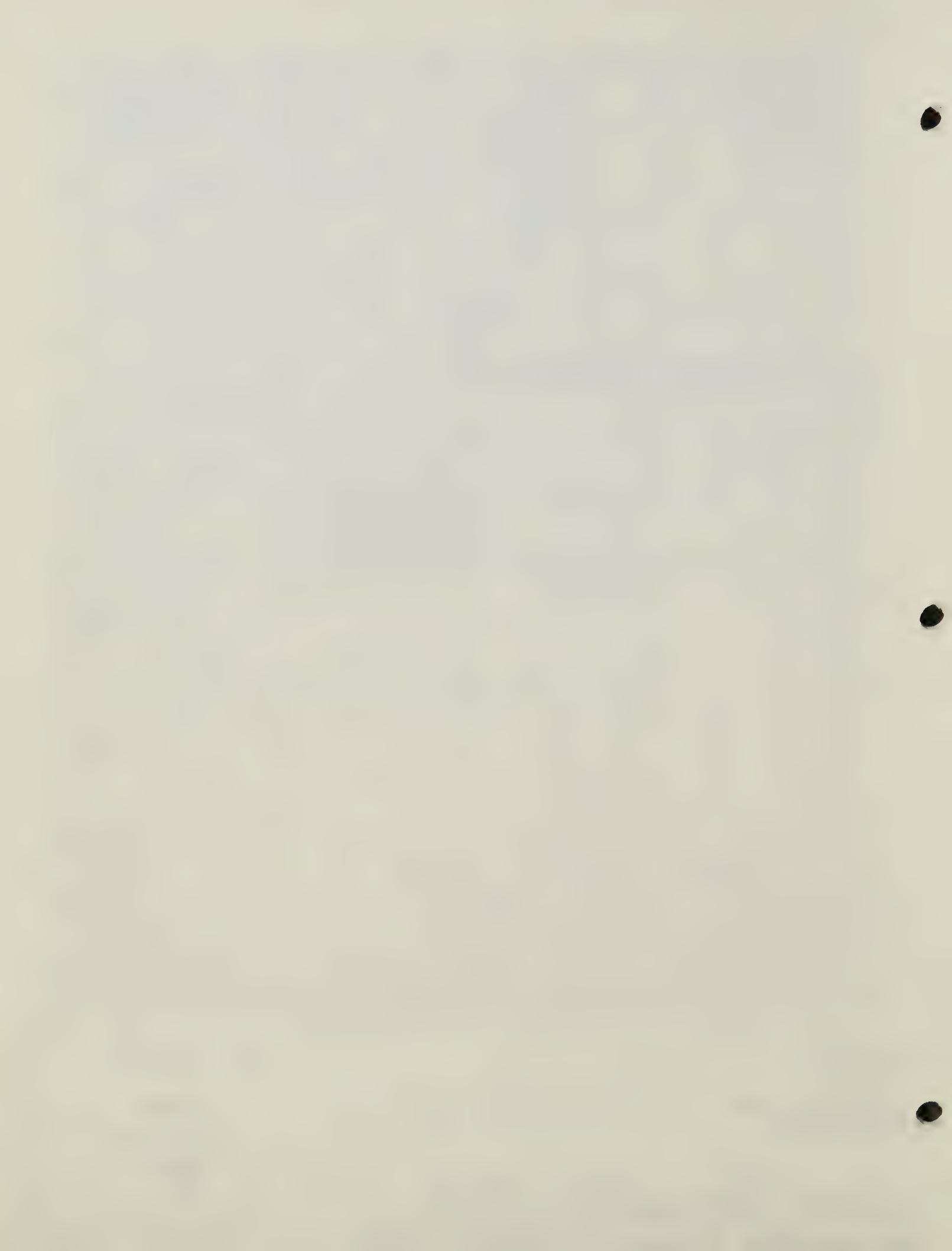
Approvals
Planning Committee JULY 5, 1973 Council NOV. 27, 1973
Latest Revision Date APR. 24/90

CITY OF HAMILTON
PLANNING DEPARTMENT

ELEANOR
APPROVED PLAN



LAND REQUIRED FOR
FUTURE EAGLEWOOD DR.



NOV 20 1990 FOR ACTION

6b

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORTATION AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: November 7, 1990
COMM FILE:
DEPT FILE: E220-0706

SUBJECT:

Property Acquisition
874 West Fifth Street

RECOMMENDATION:

- a) That the Director of the Property Department be authorized and directed to negotiate the purchase of a 20.1 m by 146.2 m portion of the lands at 874 West Fifth Street;
- b) That funding for the purchase of land at 874 West Fifth Street be provided through Capital Project No. - 022.1 - City's Share of Services through Unsubdivided lands.

Ted Gill

E. M. Gill, P.Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS:

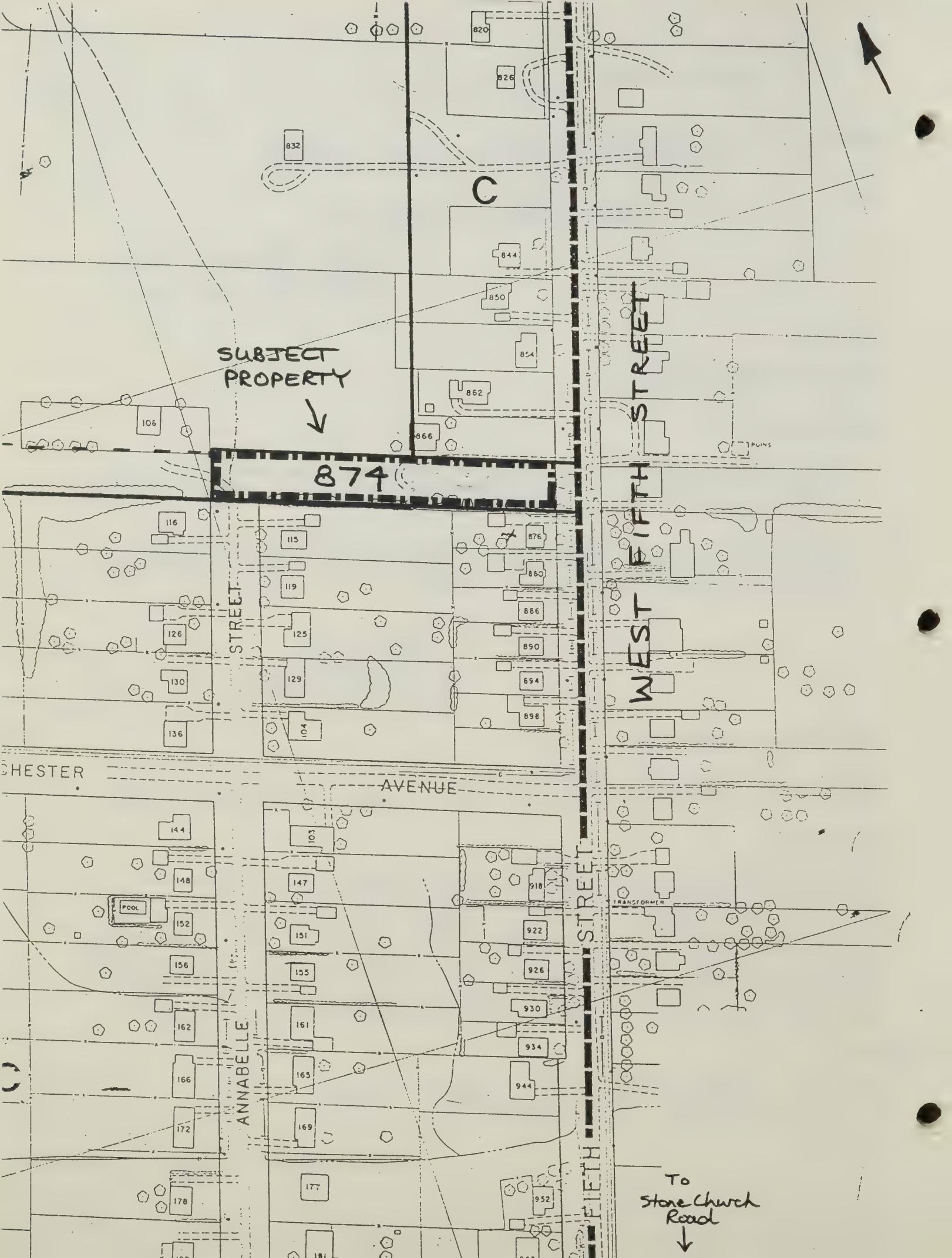
Funding for the purchase of the required lands is available in the 1990 Program - City's Share of Services through Unsubdivided Lands.

BACKGROUND:

In conjunction with City Council's recent approval of the Gourley Neighbourhood Plan, Local Planning Staff have identified the vacant property at 874 West Fifth Street as required for roadway purposes. The property, which has a 20.1 m frontage, extends westerly from West Fifth Street, however, only a 146.2 m portion from the road allowance is required (see attached sketch). The construction of a roadway is proposed on this site that will provide access to West Fifth Street from Annabelle Street and future internal subdivision roadways.

LR LR:ccc

cc: A. L. Georgieff, Director of Local Planning
cc: E. C. Matthews, City Treasurer



6c

F O R A C T I O N

REPORT TO: T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E.M. GILL, P. ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: November 23, 1990
COMM FILE: 3-11.4
DEPT FILE: S708-40
S708-54

SUBJECT

1990 SERVICING EXPENDITURES RELATED TO SUBDIVISIONS

RECOMMENDATIONS

i) That additional funding for the City's share of municipal services in the following subdivisions be approved:

<u>Subdivision</u>	<u>Additional Funding</u>
Highridge Estates - Stage 2 (62M-488)	\$200.00
Highridge Hills - Stage 2 (62M-603)	\$2,200.00

ii) That the additional City's share of the cost of services for these developments (\$2,400.00) be approved, and that the Finance and Administration Committee recommend the source of funding for these projects.


E.M. Gill, P.Eng.
Acting Commissioner of Engineering

FINANCIAL CONSIDERATIONS

Under present policies, the City of Hamilton shares the costs of installing services within subdivisions. Expenditures are incurred due to costs associated with 0.3 metre reserves and/or oversized services. In the case where 3.0 metre reserve expenditures and oversizing expenditures do not exist, the Subdivider is solely responsible for all costs within the development.

Cont'd

-Page 2-
November 23, 1990

1990 SERVICING EXPENDITURES RELATED TO SUBDIVISIONS

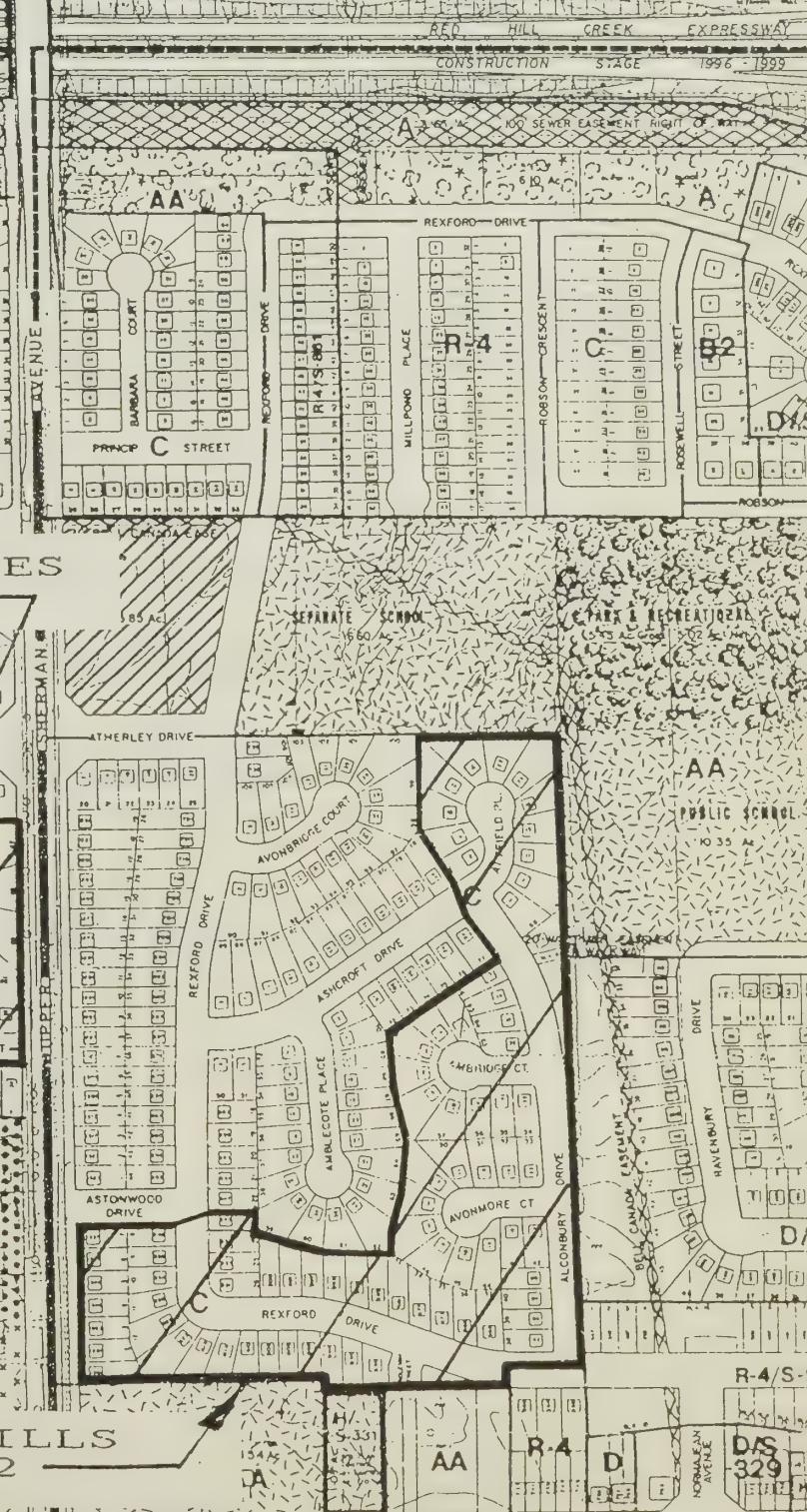
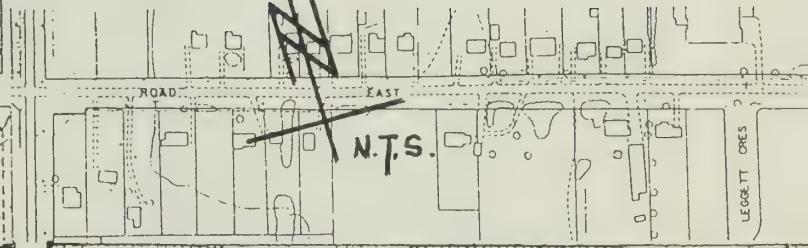
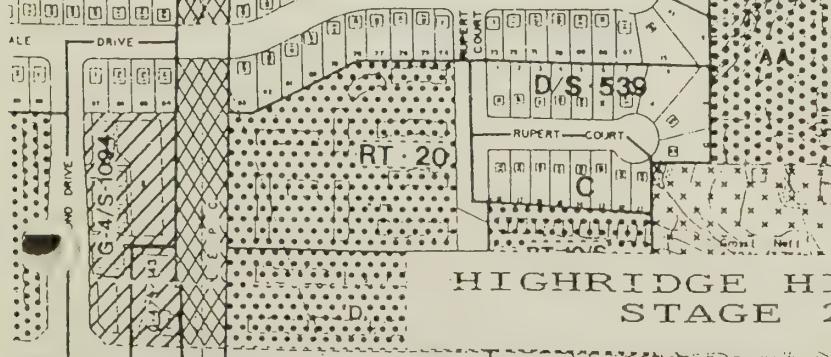
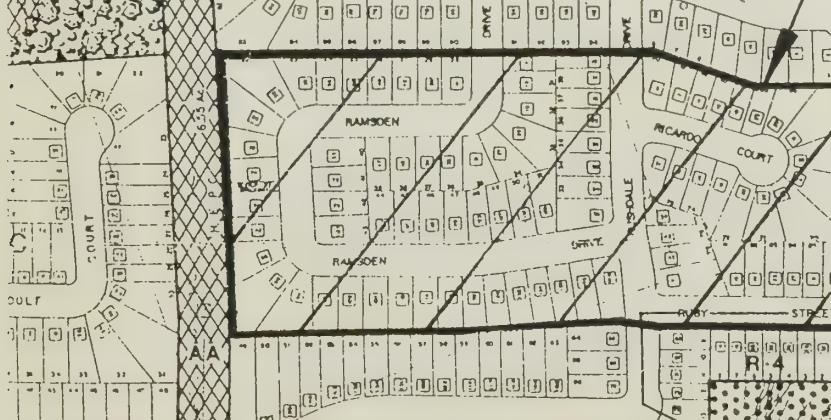
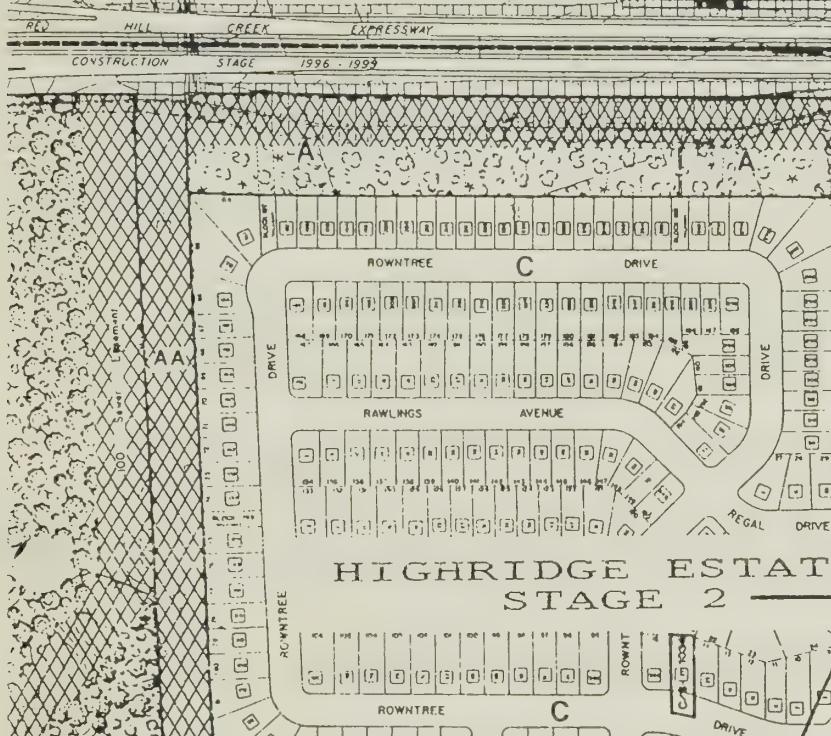
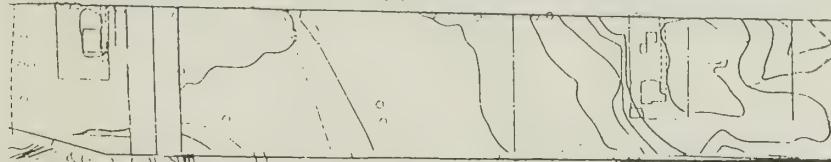
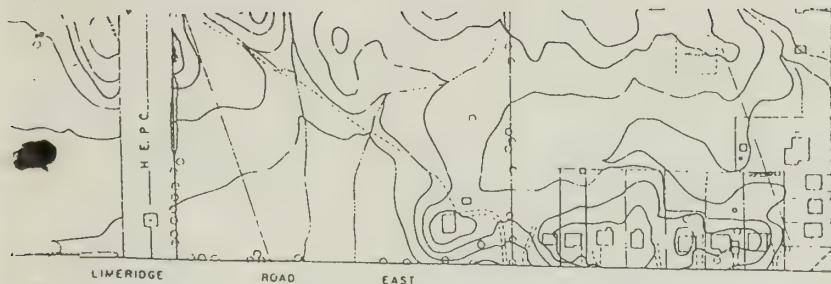
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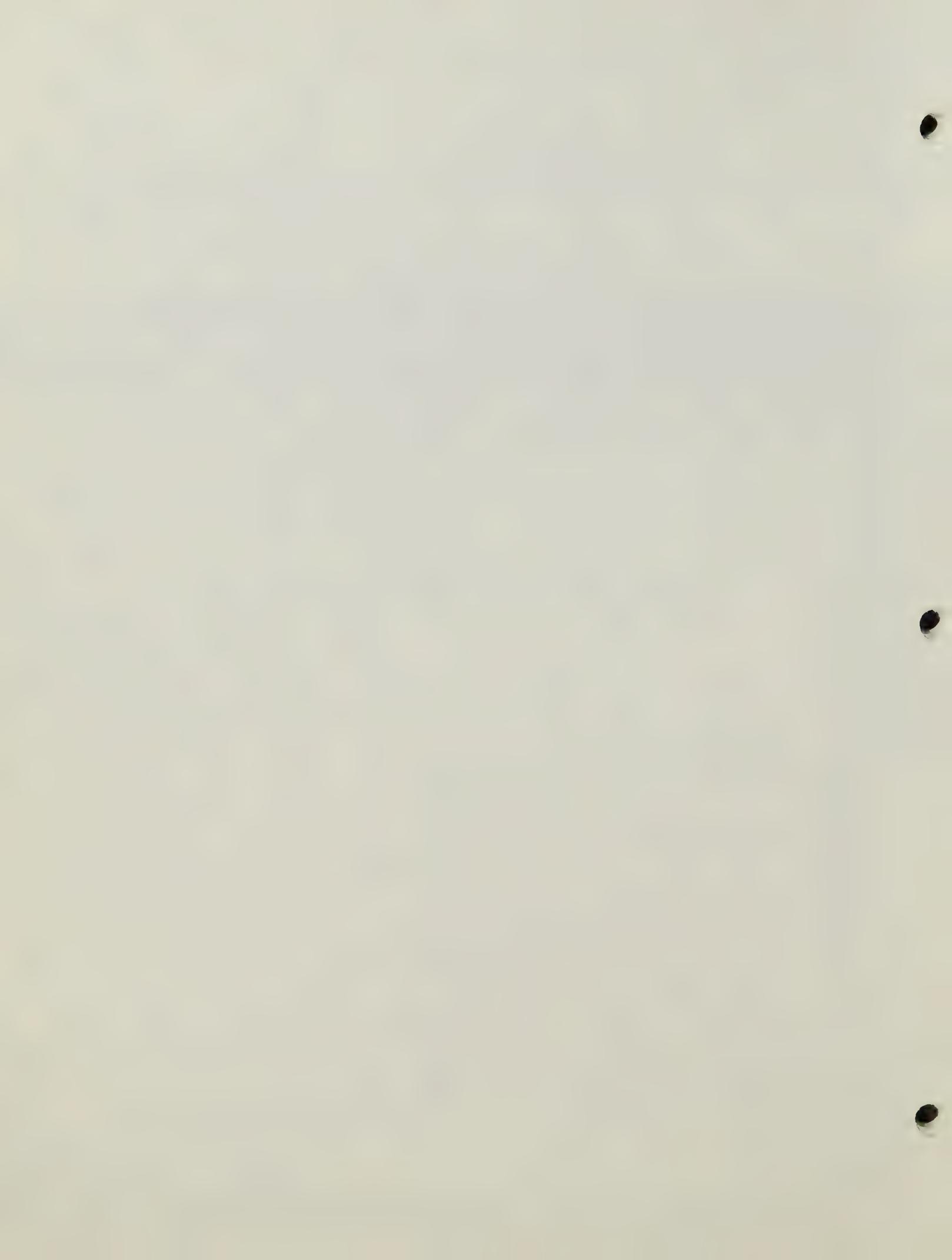
The additional cost sharing for Highridge Estates - Stage 2, plan 62M-488 (\$ 200.00) and for Highridge Hills - Stage 2, plan 62M-603 (\$ 2,200.00) which is being recommended for approval is in accordance with standard City of Hamilton policies. The total estimated cost of the City's share of services to be approved at this time is \$ 2,400.00.

Approvals for the City's share of services in these subdivision developments have previously been given by Council. However, the actual construction costs for services in these two subdivisions were higher than the original estimates and therefore, additional monies are needed to finance the City's share of services.

DVC:ja

cc: E.C. Matthews, City Treasury Department
cc: J. Thompson, Finance and Administration Committee





FOR ACTION

6d

REPORT TO: MS. T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM: E. M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING

DATE: November 27, 1990
COMM FILE: 3-11-5
DEPT FILE: T103-50(817)

SUBJECT:

**Inadvertent Encroachment Agreement
211 Mary Street**

RECOMMENDATION:

- i) That the request of Ms. M. Chapman, agent, on behalf of the owner of 211 Mary Street, to discharge the encroachment for this address, Instrument No. 316507 C.D. registered on June 20, 1985 be approved subject to the payment of the discharge fee.
- ii) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.
- b) That the application of Ms. M. Chapman, agent for the owner of 211 Mary Street to retain the inadvertent encroachment consisting of a
 - i) A veranda and front steps encroaching onto the road allowance of Mary Street measuring 1.28m x 4.26m.
 - ii) A portion of a 3 storey building encroaching onto the road allowance of Mary Street measuring 0.88m x 16.35m.

approved provided:

- i) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii) That a first year fee of \$125.00, and subsequent annual fee of \$20.00 be set for this privilege.

Cont'd ...

-Page 2-
November 27, 1990

Inadvertent Encroachment Agreement
211 Mary Street

Cont'd ...

iii) That the Mayor and City Clerk, be authorized to sign and execute all necessary documents to implement this agreement.


per E. M. Gill, P.Eng.
Acting Commissioner of Engineering

The present owner of 211 Mary Street has requested a new encroachment agreement as he has extended the existing 2 1/2 storey building into a full 3 storey building and a portion the entire third storey will now encroach onto the road allowance of Robert Street.

This application was discussed with the City Solicitor's office and the direction given by the Solicitor's Office was to discharge the original agreement and have the applicant re-apply for new agreement.

The existing roadway encumbrance(s) may be permitted subject to the normal requirements contained in the Standard Encroachment Agreement.

The City's policy is that if an existing or a proposed non building encroachment does not impede the functions within the road allowance, then the encroachment may be approved by Council, subject to an agreement and an annual fee.

We have reviewed this application and find no objection.

JKC:ccc

cc: S. Gabruss, City Solicitor's Department

7a

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 26

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

West side of Moxley Drive between Mohawk Road East and Rideau Crescent - Parking Regulations. [TEC-287-90]

RECOMMENDATION:

- a) That the existing "No Parking" regulation on the west side of Moxley Drive between Mohawk Road and Rideau Crescent be removed; and
- b) That stopping be prohibited on the west side of Moxley Drive between Mohawk Road and a point 113 feet southerly therefrom; and
- c) That the City Traffic By-law 89-72 be amended accordingly; and
- d) That the owners of the townhouse complex at 914 Mohawk Road East be requested to revise the internal parking layout such that additional off-street parking can be provided on the private property.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs.

BACKGROUND:

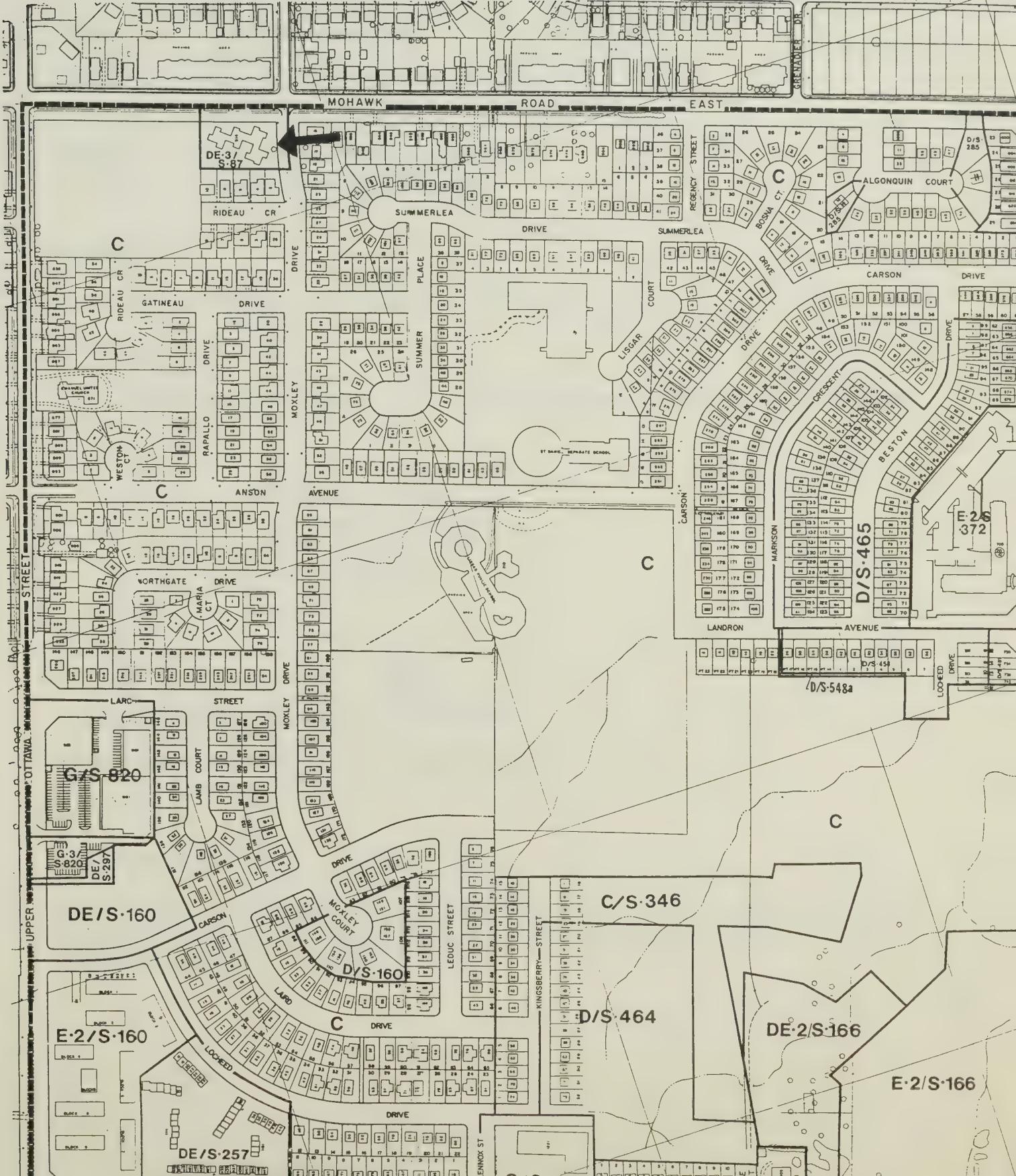
On 1990 November 19, Mrs. Woodcock, a resident of the townhouse complex at 914 Mohawk Road East, appeared before the Transport and Environment Committee to express concern regarding the recent implementation of a "One Hour Parking Time Limit"

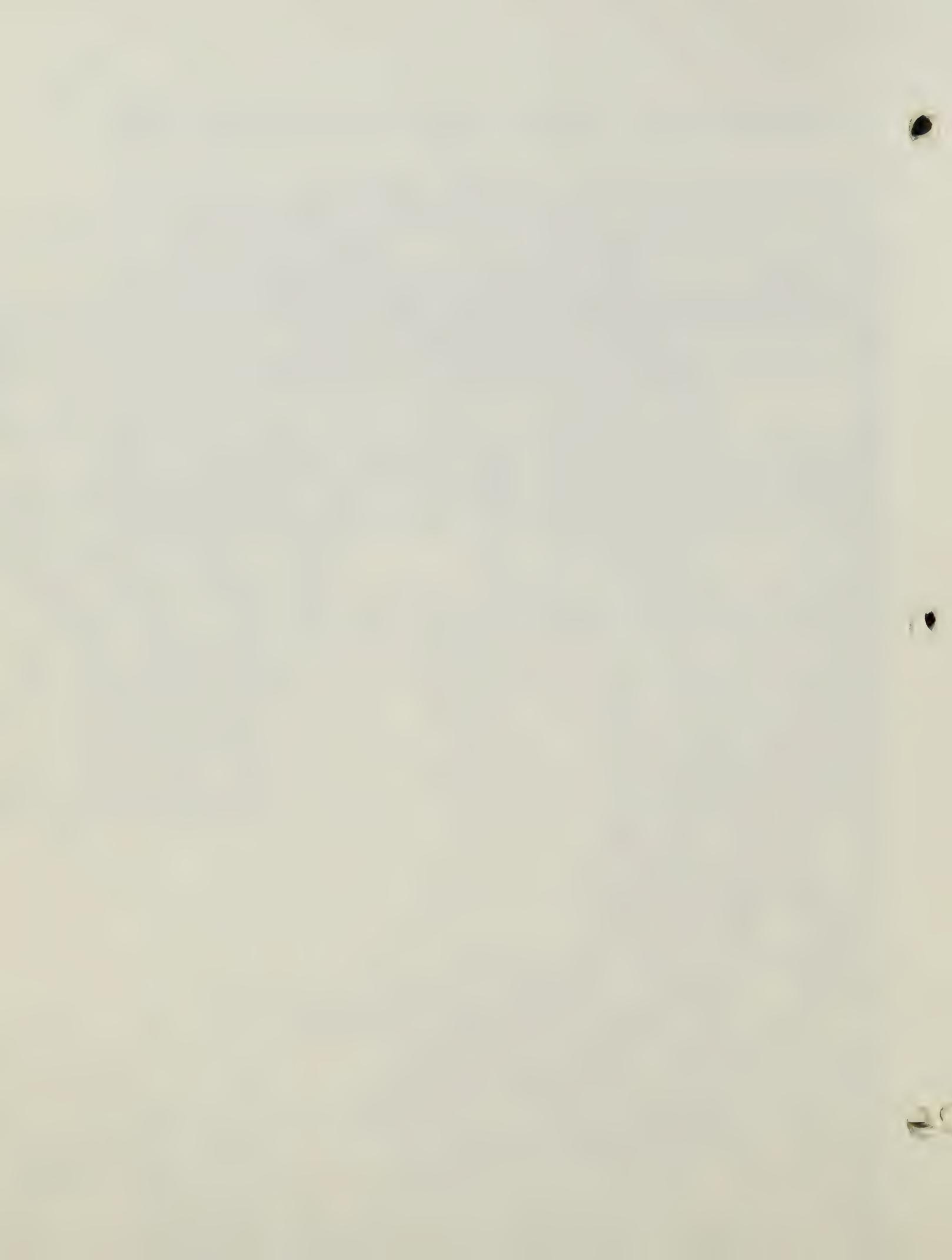
regulation on Moxley Drive between Rideau and Gatineau. The matter was referred to staff for a report.

Moxley Drive has a 28 foot pavement width, and presently, parking is prohibited on both sides of the street between Mohawk and Rideau, and there is a "One Hour Parking Time Limit" regulation on both sides of Moxley between Rideau and Gatineau.

The Traffic Department generally considers a parking prohibition on both sides of a local residential street to be over-restrictive and unnecessary. Therefore, the Traffic Department recommends removing the existing "No Parking" regulation on the west side of Moxley along the flankage of the townhouses and one single family home in order to provide approximately six on-street parking spaces in the block. The area between Mohawk and 113 feet southerly would then be signed "No Stopping" to serve as a corner clearance to facilitate turning movements at the intersection of Mohawk and Moxley.

The Traffic Department has also reviewed the parking layout within the townhouse complex and determined that an additional seven spaces could be provided on the site, by merely revising the parking layout and painting additional parking stalls. Therefore, the owner of the property should be requested to revise the parking layout in order to provide additional parking on the private property for residents and visitors.





7b

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 12

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

FROM: Mr. Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Appointment of Parking Control Officers. (TEC-276-90)

RECOMMENDATION:

That, in accordance with Section 70 of the Police Act, the following persons be appointed as Parking Control Officers:

Ms. Pamela M. Beam
Mr. Lorne J. Leblanc
Ms. Susan M. Vickers
Mr. Frederick W. Smith
Mr. John T. Tyne

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Due to changes in personnel in the Parking Control Section of the Traffic Department, it is necessary to revise the list of persons appointed as By-law Enforcement Officers in accordance with the Police Act.

7c

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 21

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

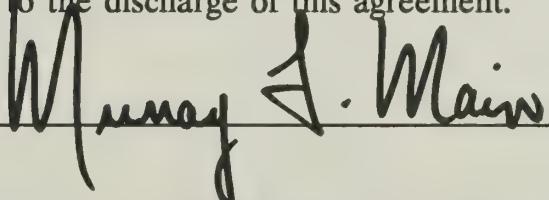
FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

98 Tuxedo Avenue South - Discharge of Residential Boulevard Parking Agreement
[TEC-279-90]

RECOMMENDATION:

- a) That the existing Residential Boulevard Parking Agreement registered as instrument number 456264 C.D. to the property at 98 Tuxedo Avenue South be discharged, at the property owner's expense; and
- b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.



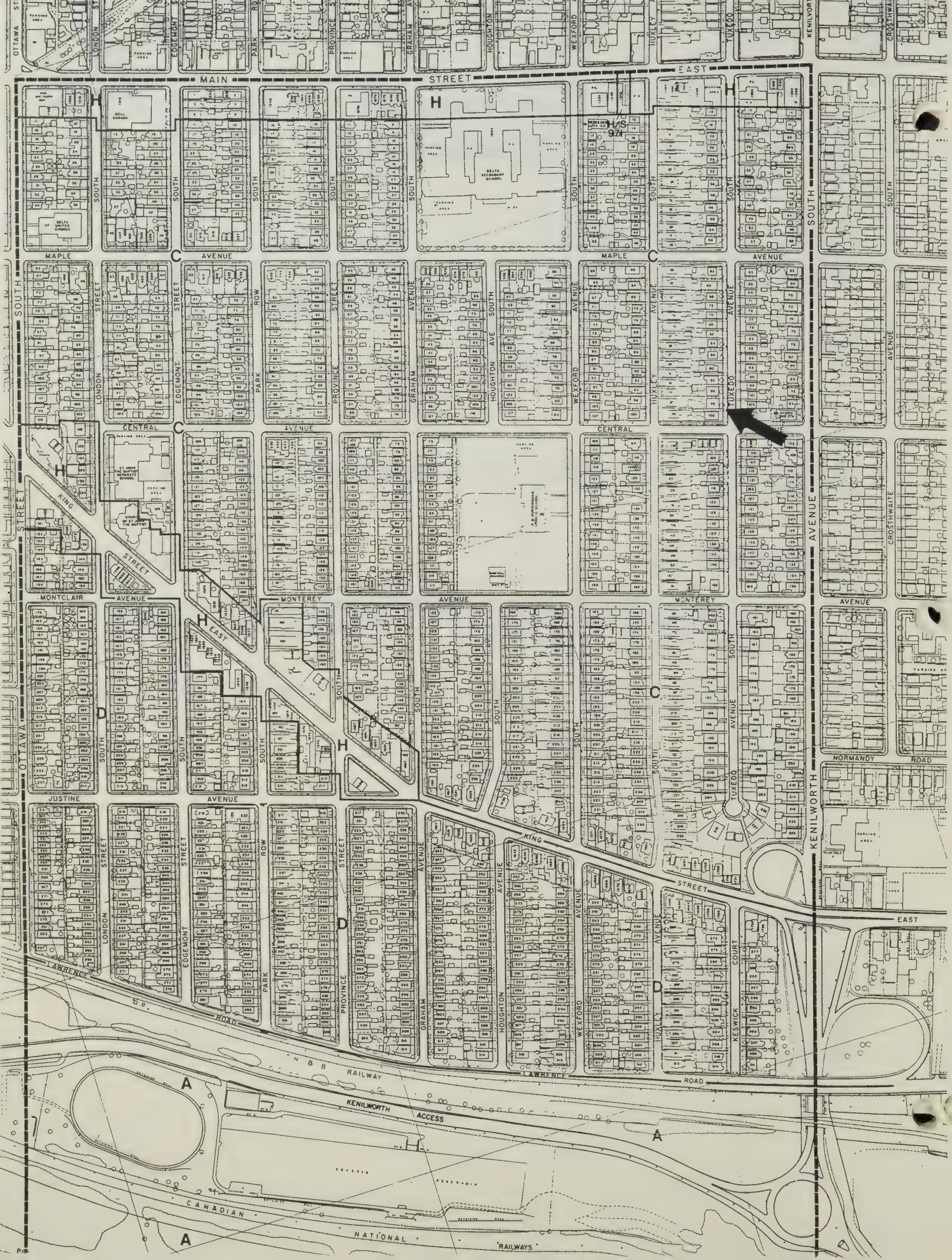
Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A.

BACKGROUND:

In May, 1988, a Residential Boulevard Parking Agreement was registered in the Land Registry Office to the property at No. 98 Tuxedo Avenue South. However, the present owner of the property Mr. Holub, has replaced the parking area with sod and no longer parks on the boulevard. The owner has therefore requested that the agreement be discharged and the Traffic Department concurs with the request.



7d

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1990 November 21

REPORT TO: Ms. Tina Agnello
Secretary, Transport and Environment Committee

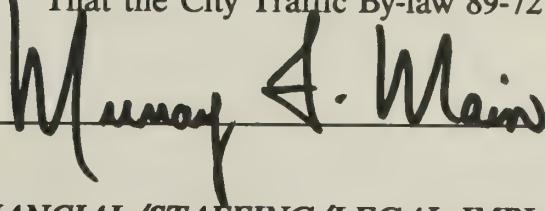
FROM: Murray F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Carling Street between Paradise Road and Macklin Street - Parking Regulations
[TEC-280-90]

RECOMMENDATION:

- a) That an "Alternate Side Parking" regulation be implemented on Carling Street between Paradise Road and Macklin Street such that parking is prohibited:
 - on the north side of the street during the months of December, January, February and March and from the 1st to 15th of April, May, June, July, August, September, October and November; and
 - on the south side of the street from the 16th to the last day of the months of April, May, June, July, August, September, October and November; and
- b) That the City Traffic By-law 89-72 be amended accordingly.



Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

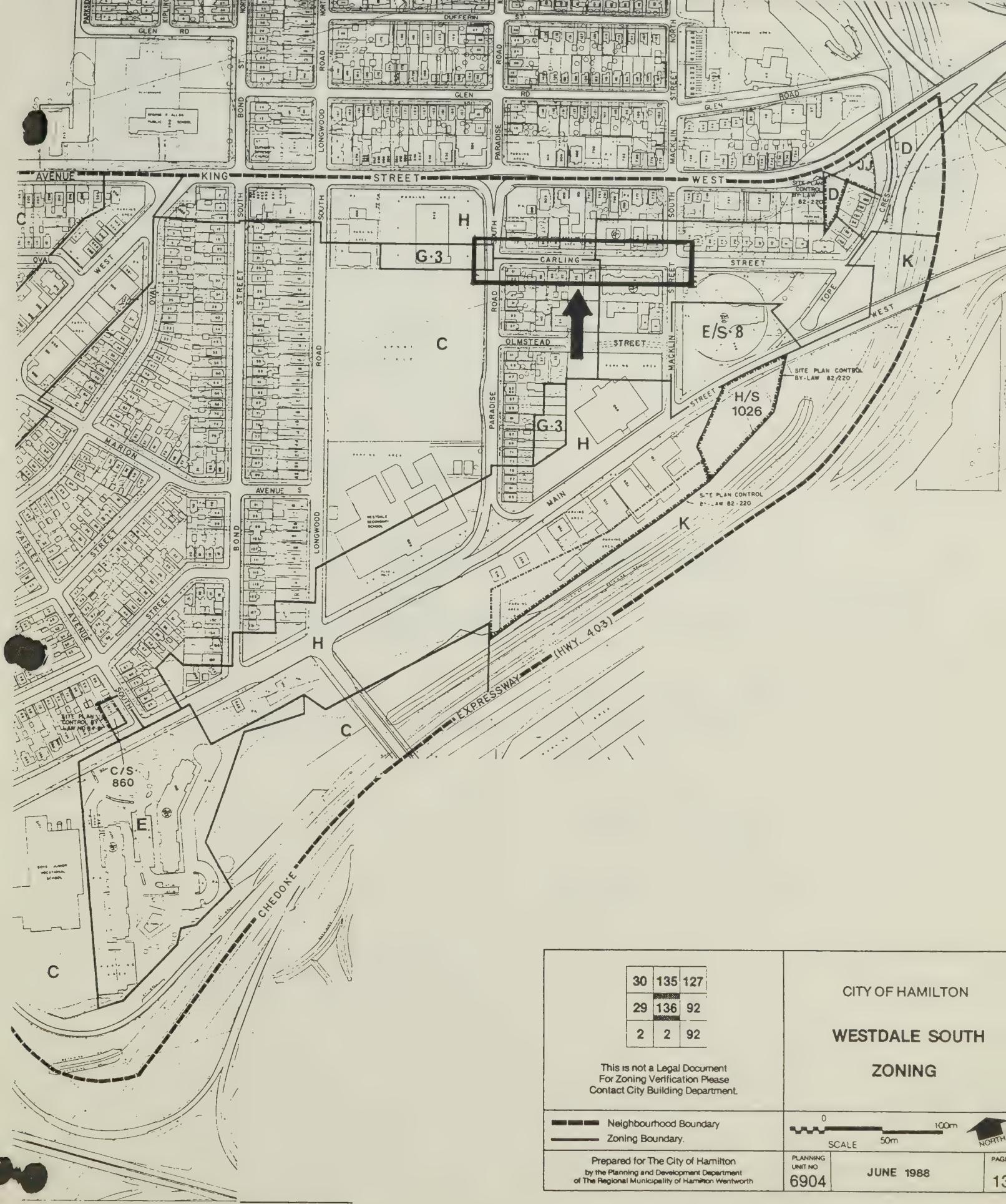
Sufficient funds are provided in the 1990 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs.

BACKGROUND:

The Traffic Department has received a petition signed by representatives of five of the 11 one, two and three family dwellings abutting Carling between Paradise and Macklin requesting that an "Alternate Side Parking" regulation be implemented on this block. All

five residents who signed the petition are in favour of the requested regulation. The Traffic Department has contacted three additional residents who did not sign the petition, and all three are in favour of the requested change to the parking regulations.

Carling has a 28 foot pavement width, and presently, parking is prohibited on the north side and there is unrestricted free parking on the south side of the street in this block. The resident who circulated the petition has expressed concern that his side of the street is never cleaned. Therefore, since 73% of the abutting residents are in favour of the requested regulation, the Traffic Department concurs with the request.





CITY COUNCIL
HAMILTON, CANADA

8a
Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 – WARD 2

November 23, 1990

Miss Tina Agnello
Secretary
Transport and Environment Committee

Dear Miss Agnello:

RE: FENCE REQUEST – 201 BAY STREET NORTH

Would you please arrange to have the above matter placed on an upcoming agenda of the Transport and Environment Committee. I would like to discuss this matter further with the members of the committee.

Please advise me of the date that this matter will be heard.

Your co-operation in this regard would be appreciated.

Yours truly,

Vince Agro
Alderman, Ward 2

rd

cc: Mr. and Mrs. Frank Vassallo
201 Bay Street North
Hamilton, Ontario L8R 2R1

TRAFFIC DEPARTMENT

MEMORANDUM

8b.

TO: Durand Neighbourhood File

FROM: Martin B. Hazell, C.E.T., C.M.M.
Manager of Community Traffic Services

PHONE: 546-4588

SUBJECT: November 14, 1990 meeting

DATE: 1990 November 23

At 7:30 p.m. on 1990 November 14, I attended a public meeting of the Durand Neighbourhood Association at Central Public School to answer enquiries respecting various traffic and parking concerns. Approximately 60 residents were in attendance. The following is a brief list of the items which were discussed:

N.B. 1. Road Closure - Markland and Bay

I provided information respecting the concept of a trial road closure in the vicinity of Markland and Bay which would eliminate through traffic on Markland between James and Queen. After a lengthy discussion, in which objections were received by residents of other local streets, Alderman Agro asked for a vote on whether or not a majority in attendance would support a proposed road closure. A majority of the residents in attendance expressed their support for the proposal and it is my understanding that Alderman Vince Agro will request that the necessary action be taken by the Transport and Environment Committee to initiate a trial road closure at this location.

2. Queen and Aberdeen

I advised that the Traffic Department had recommended to the Engineering Services Committee of the Regional Council that northbound motorists on Queen Street South be prohibited from turning right onto Aberdeen Avenue at all times (buses excepted), but that this recommendation had been denied by the Committee. After another lengthy discussion, Alderman Agro took a vote, and it appeared that a majority in attendance supported a northbound right turn prohibition at Aberdeen and Queen, but only during the hours of 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. It is my understanding that Alderman Agro will appear before the Engineering Services Committee to request reconsideration of this matter.

3. Traffic Conditions on Aberdeen Avenue, east of Queen and on Bay Street South, north of Aberdeen

The major concerns expressed at the meeting were regarding the volume and speed of traffic on Aberdeen Avenue and on Bay Street in this neighbourhood. Several residents expressed concern that the traffic volumes had not returned to "normal" following the reconstruction on Main Street West and the subsequent diversion of traffic through this neighbourhood. I answered enquiries respecting the implementation of stops signs, speed bumps, one-way and two-way streets, and any other measures which could be implemented to reduce the volume of traffic on these two streets. The consensus seem to be that eastbound traffic on Aberdeen should be required to turn left onto Queen and then proceed easterly along Herkimer Street, rather than to use Aberdeen Avenue. The residents feel that the City should implement some measure to redirect this traffic to these streets.

Alderman Agro asked the Traffic Department to investigate the possibility of implementing pavement markings and overhead lane control on the eastbound approach of this intersection to require that eastbound motorists in the second lane from the south curb be required to turn left onto Queen and that eastbound motorists in the south curb lane be required to proceed straight through or turn right (southbound) only.

4. Parking Concerns

Carol Mason asked the residents if there were any concerns regarding parking in their neighbourhoods, and advised that petition forms were available if the residents wish to initiate a change on their street. Very few concerns were expressed by the residents in attendance and the meeting was adjourned at 10:00 p.m.

MH/ca

Ward 1. B. Y. and G.

9.

November 22, 1990

City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario

Attention: Mr. Jim Clairmont
Engineering/Planning Department

Dear Sir:

RE: 210 BAY STREET NORTH, HAMILTON
Encroachment of stone garage upon
alleyway located at rear of property

Please be advised that we are the solicitors for Helen Cappadocia who is the owner of the above-noted property designated as Part 1 on Reference Plan 62R-10477, a copy of which is enclosed for your reference.

We draw your attention to the stone garage located at the rear of the property and note that the westerly wall of the garage encroaches .014 feet onto an alleyway located at the rear of the property. It is Mrs. Cappadocia's intention to register this property as a condominium. We have been advised by the Ministry of Consumer and Commercial Relations that they will require Mrs. Cappadocia to enter into an Encroachment Agreement with the City of Hamilton for that portion of the stone garage encroaching onto the alleyway as a condition of their granting condominium approval for this property.

We would therefore ask that you prepare an Encroachment Agreement and forward the same to our office for execution by our client. We enclose our cheque in the amount of \$125.00 being your fee in this regard.

We feel it appropriate to advise you as to the history of this property for the purposes of the

Encroachment Agreement.

The property was originally purchased by Helen and Ezio Cappadocia on the 31st day of May, 1980. Located on the property is a series of three (3) rowhouses which were converted into six (6) apartment units some time ago. In order to preserve the unique architectural designs and character of these rowhouses, it was the intention of Mr. and Mrs. Cappadocia to convert the apartments from rental units to condominium units. As you are undoubtedly aware, Section 4 of the Rental Housing Protection Act states that no rental residential property shall be converted to a condominium unless approval is first obtained from council of the municipality where the property is located. Application was made with the City of Hamilton, pursuant to Section 7 of the Rental Housing Protection Act and Section 50 of the Condominium Act and consent was granted by the City of Hamilton to the application by Mr. and Mrs. Cappadocia for conversion from rental units to condominium units. Copies of these approvals are enclosed for your reference.

As a requirement for condominium registration, Mr. and Mrs. Cappadocia then proceeded with an application for first registration under the Land Titles system in order to register the condominium pursuant to Section 143 of the Land Titles Act. As the City was the owner of the adjoining lands to the west, namely the subject alley, and in order to expedite the registration process, the Corporation of the City of Hamilton executed a Consent and Waiver Notice dated the 24th day of February, 1989 consenting to the application for first registration and waiving any further right of notice for such application. A copy of same is enclosed for your reference.

Our clients are now prepared to submit the Declaration and Description to the Ministry of Consumer and Commercial Relations for condominium approval, however, we have been advised by the Ministry that they will not consent to our application as all of the common elements of the proposed condominium are not entirely within the parcel property registered under the Land Titles Act pursuant to Section 2(3) of the Condominium Act, namely that portion of the garage encroaching onto the alley. We have been advised by the Ministry that they will consent to our application notwithstanding the fact that the common elements of the property are not located within the land

registered under Land Titles, if an encroachment agreement is entered into between the registered owners of the property, namely Helen Cappadocia, and the Corporation of the City of Hamilton which would in turn allow the Condominium Corporation to maintain this exterior wall of the garage encroaching onto the alleyway.

We are aware of the policy of the City of Hamilton not to grant encroachment agreements for unassumed alleys as is the present case, however without this agreement our client will be unable to submit the proposed condominium for registration. We submit that there would be an unfortunate and unjust situation in view of the fact that the City of Hamilton has previously approved the conversion from apartment to condominium and the Application for first Registration in Land Titles.

We await your reply, and remain,

Yours truly,

LEWIS, BROWN, SCARFONE, FERNIHOUGH, BROWN

MARK A. MURRAY

/dm

Enclosures.

c.c. Mrs. Helen Cappadocia

Mrs. J. McAnanama
C.E.O.
Hamilton Public Library

21 flr

CORPORATION OF THE CITY OF

MEMORANDUM

CA40N HBL A05
C 51T 6
URBAN/MUNICIPAL
1990

TO:	Members of City Council	YOUR FILE:
FROM:	Miss Tina Agnello, Secretary Transport and Environment Committee	OUR FILE: PHONE: 546-2729
SUBJECT:	<u>SPECIAL MEETING OF THE TRANSPORT AND ENVIRONMENT COMMITTEE TUESDAY, DECEMBER 11, 1990 AT 7:00 P.M., ROOM 219</u>	DATE: November 28, 1990

Agenda

Please be advised that a special Transport and Environment Committee meeting has been called for Tuesday, December 11, 1990 at 7:00 p.m. in Room 219 to deal with a report respecting the tender for the design of the Traffic Operations Building.



URBAN MUNICIPAL

DEC 18 1990

c.c. Mr. L. Sage
Chief Administrative Officer

GOVERNMENT DOCUMENTS

All Department Heads

All Staff Reporting to the Transport and Environment Committee

**Mrs. J. McAnanama
C.E.O.
Hamilton Public Lib**

CORPORATION OF THE CITY OF

MEMORANDUM

URBAN/MUNICIPAL
C 5116 1990

Please be advised that a special **Transport and Environment Committee** meeting has been called for Monday, December 17, 1990 at 9:30 a.m. in Room 233. The agenda review meeting will be on December 11, 1990 in Room 264 at 12:00 noon.

Any submissions for this meeting will be received by the undersigned not later than Monday, December 10, 1990 at 12:00 noon.

✓ *W. H. Mull*

URBAN MUNICIPAL

DEC 18 1990

200

Mr. L. Sage
Chief Administrative Officer

GOVERNMENT DOCUMENTS

All Department Heads

All Staff Reporting to the Transport and Environment Committee

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